

## UNITED STATES DISTRICT COURT

for the  
Western District of WashingtonIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

See Attachment A

Case No.

MJ11-192

FILED  
LODGED  
APR 26 2011  
CLERK AT SEATTLE  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, for a list of places to be searched which is incorporated herein by reference.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, for a list of items to be searched for and seized, which is incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

See Attachment C, for a list of violations, which is incorporated herein by reference.

The application is based on these facts:

See attached Affidavit of Special Agent Bryan P. Winger, attached hereto and incorporated herein.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

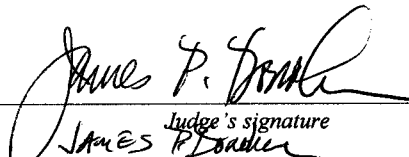
SA BRYAN P. WINGER

Printed name and title

Sworn to before me and signed in my presence.

Date:

26 April 2011

City and state: Seattle, Washington


Judge's signature

James P. Tsuchida  
Brian A. Tsuchida, United States Magistrate Judge

Printed name and title

J. Backlund

**ATTACHMENT A  
PLACES TO BE SEARCHED**

**12614 NE 140th St, Kirkland, WA:** This is a single-family two story house. The house is blue in color, with white trim and a dark-colored composite roof. The house is on the north side of NE 140th St and faces to the south. It has two white south-facing garage doors on the right (east) side of the house as you are looking at it from the street. The house number, 12614, is on a white board with dark lettering, displayed above the left garage door (as facing the house from NE 140th St). The house has a large front porch that wraps around the west side of the house. The front door is accessed from the porch, closer to the center of the house. The door is dark colored, with a window in the upper portion.

**A Black 2007 GMC Yukon, Washington license AAD7449** and a Vehicle Identification Number (VIN) of 1GKFK63897J270569.

**A White 2006 Lexus GS44D, Washington license AAN5624,** and a Vehicle Identification Number (VIN) of JTHBN96S065001716.

**5960 Terrace View Lane SE, Apt. H-206, Auburn, Washington, and detached Garage #62:** This is a three story apartment building located at the south end of the Belara at Lakelands apartment complex. The building is beige and yellow and has a dark charcoal colored composition roof. The numbers 5960 are clearly displayed on the west side of building H in beige numbers with a black background. Also on the west side next to the building is covered parking with stone colored columns and a cream colored aluminum roof. On the north side of the building in the center near the roof, the numbers 5960 are displayed again in beige letters on a black background. To the left (east) of center on the north side is a large sign displaying the letter H in beige lettering with a black background. Access to the apartments in building H can be gained on either the north or south side of the building through hallways located at the east and west of center. In order to gain access to apartment H-206 from the north side of the building, one can enter through the hallway located to the west of center. Apartment H-206 will be the second door on the left (east) side of the hallway. The door is a white door with the numbers 206 displayed at the top of the door in beige numbers on a black background. If one enters the west hallway from the south side of building H, concrete stairs with a black railing lead to apartment 206, which is the first door on the right (east) side of the hallway.

Garage #62 is a white garage door unit that is located directly to the north of building H, past building J, and building K in a separate building structure that only houses garage units that is closer to the center of the apartment complex. The south side of the structure houses garage units #32 on the west side to #48 on the east side. The northwest side of the structure begins with unit #49. Garage #62 is located on the north side of the structure further towards the west of center and faces towards building L. The structure is composed of single story garage units that are beige in color on the bottom with white garage doors, and yellow A frames with white trim and a dark charcoal colored composition roof. Garage number 62 is clearly marked in beige colored numbering on a black background above the white garage door designated for the unit.

**A White 2006 Ford Truck, Missouri license 2CE972 and a Vehicle Identification Number (VIN) of 1FTRF14W16KA83302.**

**A Black 2002 Volkswagen Golf, Washington license 596ZAT, and a Vehicle Identification Number (VIN) of 9BWDE61J024007500.**

**4003 SW 98th Street, Seattle, WA:** This is a single-family two story house. The house is dark beige in color with a gray composition roof. The house is located on the south side of 98th Street and faces to the north. It has two white north-facing garage doors on the right (west) side of the house as you are looking at the house from 98th Street. There is a white brick chimney on the left (east) side of the house along with a satellite dish. The house number, 4003, is clearly displayed in large black colored numbers to the left of the front door. Steps lead from the driveway to the front door, with black iron hand rails located in a small porch area around the front door. The front door is white in color and is a double-door that is located towards the center of the house, facing north. There is a large exterior light located directly over the garage doors.

**A White 2006 Dodge Caravan, Washington license B59536L and a Vehicle Identification Number (VIN) of 1D4GP23R06B539587.**

**8805 35th Avenue SW, Seattle, WA:** This is a single story house with a lower level garage/basement area. The house is light yellow in color with greenish blue trim and a gray composition roof. The front of the house faces to the east at 35th Avenue SW. It has a single car garage that is light yellow with greenish blue trim facing to the north at Trenton Street. A downward sloping driveway leads to the garage door entrance on the north side of the residence. There is a brick chimney and a large television antenna located on the north side of the roof. The house number, 8805, is clearly displayed in

gold colored numbers to the left of front door. A gold colored mail slot is located below the house numbers. As one approaches the residence from the sidewalk located along 35th Avenue SW, steps with greenish blue iron hand rails lead to the front door. At the top of the first flight of stairs, a white colored light pole is located to the right. A second set of steps that also have a greenish blue iron hand rail lead to a small front porch area and the front door. The front door is dark in color, faces to the south, and is covered with a black iron storm door.

**A Burgundy 2007 Chevy Tahoe, Washington license ACN5641 and a Vehicle Identification Number (VIN) of 1GNFK13077R319043.**

**6300 39th Avenue South, Seattle, WA:** This is a single-family two story house. The house is brown in color on the lower level and beige with brown vertical trim on the upper level. The house has a dark-colored composite roof. There are no house numbers visibly displayed on the house itself, and no house numbers are visible while looking at the house from the street. The front of the house faces to the west at 39th Avenue South. A driveway with a slight incline leads from 39th Ave South to a garage door located on the south side of the house. Concrete steps that are located on the left (north) side of the driveway lead to a front porch area. A second set of stairs with cedar hand rails lead to the front porch, which is enclosed by a cedar railing. The front door, which is located in the center of the house, is dark brown with a black iron storm door. To the left (north) of the front door at ground level is a small window which is covered by black iron rails. The north perimeter of the yard is enclosed by a cedar fence. In the upper level to the left (north) of the front door, there is a large window. A chimney extends from the roof on the left (north) side of the house. Directly above the front entrance door, there is a medium sized window. Above the garage door in the upper right (south) side of the house there is a smaller window. The south perimeter of the yard is also enclosed by a cedar fence.

**13327 Puget Sound Blvd, Edmonds, WA:** This is a single-family two story house. The house is brown in color, with brown trim and a dark-colored composite roof. The house is on the east side of Puget Sound Blvd and faces to the west. There are no visible house numbers displayed on the house itself, the house number, 13327 are clearly displayed on the mailbox, which is located at the end of a shared driveway that leads to the house from Puget Sound Blvd. The front door is red in color and is located on the left (north) side of the house. To the right (south) side of the house on the lower level, there is a sliding glass entrance door. There are small windows located in the upper level on the right (south) side of the house. The front yard mostly consists of beauty bark and a

large rock wall.

**209 10th Avenue South, Kirkland, WA:** This is a two story town house that is beige in color dark brown trim and a flat composition roof that is dark in color with white trim around all of the windows. The town house faces towards 10th Avenue South to the north. A driveway is located on the right (west) side that leads to a double door garage that is dark brown in color. The numbers 209 are displayed in the center above the garage doors in white wood numbering. Directly above the garage doors is a patio that has an aluminum heat lamp and bbq with windows and a sliding door facing to the north and windows facing to the west. To the left of the garage doors, near the center of the town house are two windows that appear to be the kitchen area. To the left of the kitchen windows in the upper left (east) side are another set of windows. The roof area near the center of the town house is lined with a black iron rail. There is a walk way that leads from the driveway to the left (east) side of the town house where the front entrance is located. The front entrance is not visible from the street.

**A Black 2007 GMC Yukon, Washington license 190VNG, and a Vehicle Identification Number (VIN) of 1GKFK66887J173147.**

**A Black 2006 BMW 325CV, Washington license ACE4066, and a Vehicle Identification Number (VIN) of WBABW33426PX84766.**

**A Warehouse Unit at 1621 Central Ave S, #40, Kent, WA** This is a single story warehouse unit that is beige in color with aluminum siding and roof located on the south side of the Plemmons Industrial park. Unit #40 faces to the north and has a dark brown entrance door with a rectangular piece of glass in the center. Above the entrance door there is a glass header with dark brown trim and the numbers 40 are displayed in dark brown paint directly on the glass. There is a mail slot that is gold in color located to the left (east) of the entrance door. Above the mail slot are two vertical shaped glass windows with dark brown trim. All windows located near the entrance have shades that are closed. To the right (west) of the front entrance door is a large freight (garage) door that is also beige in color that has three glass windows that stretch across the bottom half of the door that are covered from the inside in white.

**2512 162nd Drive SE, Snohomish, Washington:** this is a two-story single-family house. The house is cream in color with white trim and cedar and stone accents. There is a large porch and attached two car garage with white garage doors. There is a large, older, wood barn situated behind the house. The house number, 2512, is posted in black

lettering on the front of the house, just to the right of the two-car garage door, adjacent to the exterior light.

**7914 86th Drive NE, Marysville, Washington:** Is a two story single family home which is tan in color with white trim. There is an attached two car garage with a white garage door. To the left of the garage door the numbers "7914" is posted in gold lettering.

**11730 51st Avenue NE, Unit B, Marysville, Washington, and detached garage:** is a cream colored two story duplex with white and brown trim. The duplex has two-2-car garages with white garage doors. The letter "B" is posted under the exterior light adjacent to the north garage. Located to the south of the duplex on the property is also a large detached outbuilding which is tan in color. There are four white garage type doors and one people size door.



**ATTACHMENT B  
ITEMS TO BE SEARCHED FOR AND SEIZED**

This warrant authorizes the government to search for the following items:

Evidence and/or fruits of the commission of the following crimes: Distribution and possession with intent to distribute controlled substances in violation of 21, U.S.C. § 841(a)(1); use of a communications facility in furtherance of a felony drug offense in violation of 21, U.S.C., § 843(b); conspiracy to distribute and possess with intent to distribute controlled substances, in violation of 21, U.S.C. § 846; interstate and foreign travel to promote, manage, establish, carry on, or facilitate unlawful activity, in violation of 18 U.S.C. § 1952; laundering of monetary instruments in violation of 18 U.S.C. 21 956; Bulk Cash Smuggling into or out of the United States in violation of 31 U.S.C. § 5332; and Importation of Controlled Substances in violation of 21 U.S.C. § 952; Possession of Firearms in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c) including but not limited to the following materials:

1. Controlled Substances: including but not limited to marijuana and cocaine.
2. Drug Paraphernalia: Items to be used to store and distribute controlled substances, such as plastic bags, cutting agents, scales, measuring equipment, and similar items.
3. Drug Transaction Records: Documents such as ledgers, receipts, notes, and similar items relating to the acquisition, transportation, and distribution of controlled substances, however stored, including in digital devices.
4. Customer and Supplier Information: Items identifying drug customers and drug suppliers, such as, telephone records, personal address books, correspondence, diaries, calendars, notes with phone numbers and names, "pay/owe sheets" with drug amounts and prices, and similar items, however stored, including in digital devices.
5. Cash and Financial Records: Currency and financial records that show income from drug trafficking, including bank records, safe deposit box records and keys, credit card records, bills, receipts, tax returns, vehicle documents, and similar items; and other records that show income and expenditures, net worth including receipts for personal property, negotiable instruments, bank drafts, cashiers checks, and similar items.

6. Photographs: Photographs, video tapes, digital cameras, and similar items depicting friends and relatives of the property occupants, or suspected buyers or sellers of controlled substances, controlled substances, and assets derived from the distribution of controlled substances.

7. Property Records: Deeds, contracts, escrow documents, mortgage documents, rental documents, and other evidence relating to the purchase, ownership, rental, or control of the premises, and similar records of other property owned or rented.

8. Firearms: Magazines, ammunition, and body armor.

9. Codes: Evidence of codes used in the distribution of controlled substances, including but not limited to passwords, code books, cypher or decryption keys, and similar information.

10. Cell Phones: Cellular telephones and other communications devices including Blackberries may be seized, and searched only for the following items:

- i. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
- ii. Stored list of recent received calls;
- iii. Stored list of recent sent calls;
- iv. Stored contact information; and
- v. Stored Photographs of Narcotics, Suspected Criminal Activity and/or co-conspirators; and
- vi. Stored text messages.

Cellular telephones and other communications devices may not be searched without further judicial authorization, in the absence of any other legal basis justifying a search.

In addition, there is probable cause to believe that said devices are instrumentalities of the offense, and may be seized and searched on that basis.

11. Computers. This warrant seeks permission to seize, but not search, computers. Any search of said devices will be subject to a future warrant.



**ATTACHMENT C**  
**THE SEARCH IS IN VIOLATION OF:**

This warrant is based on the commission of the following crimes:

Distribution and possession with intent to distribute controlled substances in violation of 21, U.S.C. § 841(a)(1); use of a communications facility in furtherance of a felony drug offense in violation of 21, U.S.C., § 843(b); conspiracy to distribute and possess with intent to distribute controlled substances, in violation of 21, U.S.C. § 846; interstate and foreign travel to promote, manage, establish, carry on, or facilitate unlawful activity, in violation of 18 U.S.C. § 1952; laundering of monetary instruments in violation of 18 U.S.C. 21 956; Bulk Cash Smuggling into or out of the United States in violation of 31 U.S.C. § 5332; and Importation of Controlled Substances in violation of 21 U.S.C. § 952; Possession of Firearms in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c).

**A F F I D A V I T**

County of King  
 State of Washington

I, **Bryan P. Winger**, a Special Agent with Homeland Security Investigations, Seattle, Washington, having been duly sworn, states as follows:

**INTRODUCTION**

1. Over approximately the last year, federal law enforcement has been conducting an investigation into the Jacob STUART Drug Trafficking Organization (DTO). The investigation has included, among other techniques, court-authorized Title III wiretaps. The investigation shows that the STUART DTO is moving very large quantities of Canadian marijuana, via private aircraft, from the Western District of Washington to various other parts of the United States. More recently, the investigation shows that the DTO is also using private aircraft to bring large quantities of cocaine from the Los Angeles, California area to this District, likely for transshipment into Canada. This application seeks permission to search residence, vehicles, and stash locations associated with members, associates and customers of the DTO.

**A. AFFIANT'S EXPERIENCE AND TRAINING**

2. I am employed as a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) and have been so employed since April of 1998. I am currently assigned to the Narcotics and Bulk Currency Smuggling Investigations Group at the Special Agent in Charge (SAC) Seattle office. My training includes eighteen weeks in the Criminal Investigator Training Program (CITP) and Customs Basic Enforcement School (CBES) at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. In addition to the training received at FLETC, I have received hundreds of hours of specialized training in drug identification, money laundering methods, cases involving criminal conspiracy and organized crime, gangs, undercover techniques, electronic surveillance, airport interdiction, vessel interdiction, officer safety, survival, and tactical techniques. During my employment with

1 HSI, I have participated in hundreds of narcotics and currency investigations involving  
2 search warrants. These warrants authorized the search of locations ranging from the  
3 residences of drug traffickers and their co-conspirators or associates, to houses and  
4 apartments, as well as safe deposit boxes, packages, outbuildings, barns, garages,  
5 vehicles, vessels, businesses, and rented storage lockers. I have also participated in  
6 several court authorized Title III investigations, wherein the court has authorized the  
7 interception of telephone conversations.

8 3. In my capacity as a Special Agent, I have conducted investigations of the  
9 Controlled Substance Act, that is, Title 21, United States Code, Section 841, et seq., and  
10 related offenses. My training and experience have involved, among other things: (1) the  
11 debriefing of defendants, witnesses, and informants, as well as others who have  
12 knowledge of the distribution and transportation of controlled substances and of the  
13 laundering and concealment of proceeds of drug trafficking; (2) surveillance; (3) analysis  
14 of documentary and physical evidence; and (4) the "undercover" purchases of controlled  
15 substances. In addition, I have participated in federal search warrants and wiretap  
16 investigations. I have supplied information to support affidavits and/or sworn to  
17 affidavits for search and seizure warrants in these investigations. These search and  
18 seizure warrants have authorized the search of locations ranging from the residences and  
19 vehicles of drug traffickers and their co conspirators, to houses and structures used for the  
20 manufacture of controlled substances. Items searched for and recovered in these  
21 locations have included narcotics, US currency, firearms, telephone and address books,  
22 cellular telephones, pagers, handwritten drug ledgers/pay owe sheets, and handwritten  
23 notes regarding names and telephone numbers of criminal associates.

24 4. As a result of this training and experience, I am familiar with the methods  
25 used by narcotics traffickers to smuggle, transport, conceal and distribute narcotics and  
26 currency in the Western District of Washington, and elsewhere. The information  
27 contained in this affidavit is based upon my own participation in this investigation, my  
28 conversations with other law enforcement officers involved in this investigation, and

1 reading the reports written by other law enforcement officers involved in this  
2 investigation.

3 **B. PURPOSE OF AFFIDAVIT.**

4 5. This Affidavit is submitted in support of a request to search the residences,  
5 vehicles, and businesses described further below. As set forth below, there is probable  
6 cause to believe that each location contains evidence of one or more of the following  
7 violations of federal law:

8 a. Conspiracy to distribute marijuana and/or cocaine, in violation of  
9 Title 21, United States Code, Sections 841 and 846;

10 b. Distribution of marijuana and/or cocaine, in violation of Title 21,  
11 United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code  
12 Section 2;

13 c. Use of a communications facility in furtherance of a felony drug  
14 offense in violation of 21, U.S.C., § 843(b);

15 d. Interstate and foreign travel to promote, manage, establish, carry on,  
16 or facilitate unlawful activity, in violation of 18 U.S.C. § 1952;

17 e. Laundering of monetary instruments in violation of 18 U.S.C. §  
18 1956;

19 f. Bulk Cash Smuggling into or out of the United States in violation of  
20 31 U.S.C. § 5332; and

21 g. Importation of Controlled Substances in violation of 21 U.S.C. §  
22 952.

23 6. The items to be seized are more particularly described in Attachment "B"  
24 hereto, which is incorporated by this reference.

25 **C. THE LOCATIONS TO BE SEARCHED.**

26 7. Permission is sought to search the following locations, each of which is  
27 described with particularity in Attachment "A" hereto, incorporated by this reference:  
28

a. **12614 NE 140th St., Kirkland, Washington** (hereafter, the "Stuart Residence"). This is the residence of Jacob STUART, the head of the Stuart Drug Trafficking Organization (DTO).

b. **Black GMC 2007 Yukon, Washington license AAD7449**, (hereafter, "Stuart's Yukon") bearing Vehicle Identification Number (VIN) 1GKFK63897J270569, registered to Brooke A. Stuart (STUART's spouse) at the Stuart Residence. This is a vehicle belonging to, and used by, STUART.

c. **White 2006 Lexus, GS44D, Washington license AAN5624**, bearing VIN JTHBN96S065001716, again registered to Brooke Stuart, and registered at the Stuart residence. Again, this is a vehicle belonging to and used by STUART.

d. **5960 Terrace View Lane SE, Apt. H-206, Auburn, Washington, and detached Garage #62** (hereafter, "Lamar's Apartment"). This is the apartment residence of Richard LAMAR. Based on wire intercepts and surveillance, LAMAR is STUART's primary "runner" and right-hand man.

e. **White Ford 2006 F-150 Truck, Missouri license 2CE972**, (hereafter, Lamar's truck) bearing VIN 1FTRF14W16KA833302, registered to Richard LAMAR at 7253 Watson Road, # 123, St. Louis, MO.

f. **Black 2002 Volkswagen Golf, Washington license 596ZAT**, VIN 9BWDE61024007500, (hereafter, "Lamar's VW") registered to LAMAR at 13007 213th Ave. Ct. E, Bonney Lake, WA.

g. **4003 SW 98th Street, Seattle, Washington** (hereafter, "Prohaska's residence"). This is the residence of Phoebe PROHASKA, a runner/courier for the DTO.

h. **White 2006 Dodge Caravan, Washington license B59536L**, VIN 1D4GP23R06B539587 (hereafter, PROHASKA's van). This vehicle is used by and registered to PROHASKA at 8856 16th Ave. SW, Seattle, WA.

i. **8805 35th Ave. SW, Seattle, WA.** ("Prohaska's Stash House") This is a suspected stash location for controlled substances used by the DTO, specifically associated with PROHASKA and an unidentified male with a limp.

j. **Burgundy 2007 Chevy Tahoe, Washington license ACN5641,** with a VIN of 1GNFK13007R319043, registered to Luci R. Lucarrelli, at 8408 36th Ave. SW, Seattle, WA. This vehicle is driven by an unknown male with a pronounced limp ("FNU LNU West Seattle") who was first seen parking at 9402 36th Ave SW in West Seattle. This same individual has also been observed by surveillance while driving PROHASKA's van. Most recently, this vehicle has been observed at PROHASKA's stash house in West Seattle on multiple occasions, while FNU LNU West Seattle moved items to and from the vehicle and the garage. The registered owner, Luci R. Lucarrelli is believed to be the girlfriend of FNU LNU West Seattle, and the sister of DTO member Trey OLSON's ex-wife. Lucarrelli also drives a White Lexus with Washington license 339XGA that was observed on multiple occasions early on in the case (August to September/October) parked at 9402 36th Ave SW in West Seattle. This vehicle has not been at that residence in quite some time but the Burgundy Tahoe used to have a Oregon plate on it, registered to an older man to an address in Oregon. More recently, the vehicle was re-plated to Washington and registered to LUCARRELLI

k. **6300 39th Ave. South, Seattle, WA** (hereafter, Washington's residence). This is the residence of John WASHINGTON, a member of the DTO. This is the residence of John WASHINGTON, who has been repeatedly intercepted speaking with STUART over the Title III about drug trafficking, and seen engaged in activity consistent with drug deliveries with LAMAR at this address.

l. **13327 Puget Sound Blvd., Edmonds, WA** (hereafter, Artiach's residence). This is the residence of Isaac ARTIACH, a "catcher" of marijuana for the DTO.

m. **209 10th Ave. South, Kirkland, WA** (hereafter, Wolverton's residence). This is the residence of Robert James WOLVERTON, a member of the DTO, who has been repeatedly intercepted over the T-III discussing drug transactions and drug debts with STUART.

n. **Black 2007 GMC Yukon, Washington license 190VNG,**



1 (hereafter, "Wolverton's Yukon") VIN 1GKFK66887J173147, registered to  
2 WOLVERTON at his residence.

3 o. **Black 2006 BMW 325CV, Washington license ACE4066,**  
4 (hereafter, "Olson's BMW"), VIN WBABW33426PX84766, registered to Trey OLSON,  
5 at 5645 California Ave. SW, No. B, Seattle, WA.

6 p. **Warehouse Unit # 40, at 1621 Central Ave. S., Kent, WA (Stash**  
7 **Warehouse).** This is a suspected stash location for controlled substances used by the  
8 DTO.

9 q. **2512 162nd Drive SE, Snohomish, Washington (the marijuana**  
10 **grow house).** This is a suspected marijuana grow and/or stash house that is supplying  
11 members of the STUART DTO.

12 r. **7914 86th DR NE, Marysville, WA (Bennett's Residence).** This is  
13 the residence of Joshua BENNETT.

14 s. **11730 51st Ave NE, Unit B, Marysville, WA (Worster's**  
15 **Residence) and unattached garage.** This is the residence of Brent WORSTER, and also a  
16 suspected stash locations for controlled substances.

17 **D. COMMON CHARACTERISTICS OF DRUG TRAFFICKERS AND DTOs.**

18 8. As a result of my training and experience, and based on my consultation  
19 with other agents and law enforcement officers, I have an understanding of the manner in  
20 which narcotics are distributed and the various roles played by individuals and groups in  
21 their distribution. I have encountered and have become familiar with various tools,  
22 methods, trends, paraphernalia and related articles utilized by various traffickers in their  
23 efforts to import, conceal and distribute controlled substances. I am also familiar with the  
24 manner in which drug traffickers use telephones, often cellular telephones, to conduct  
25 their unlawful operations. I am also familiar with the manner in which drug traffickers  
26 will use weapons to protect their drug activities and further its goals.

27 9. Based upon my training, experience, and conversations with other  
28 experienced officers and agents, I know that:

1           a.     It is common for drug dealers to use cellular phones subscribed to in  
2 a name other than their own. It is also common for drug dealers to use "pre-paid" cellular  
3 phones for which no real subscriber information is available. Indeed, as set forth below,  
4 members of this DTO have been repeatedly intercepted using Verizon pre-paid cell  
5 phones.

6           b.     During the execution of search warrants at the residences of drug  
7 dealers, it is common to find papers, letters, billings, documents, and other writings,  
8 which show ownership, dominion, and control of vehicles, residences, and/or storage  
9 units.

10          c.     It is common for drug dealers to secrete contraband, proceeds of  
11 drug sales, and records of drug transactions in secure locations within their vehicles,  
12 residences, and/or storage units for their ready access and to conceal these items from law  
13 enforcement authorities.

14          d.     Narcotics traffickers often maintain books, records, receipts, notes,  
15 ledgers, airline tickets, money orders, and other papers relating to the transportation,  
16 ordering, sale and distribution of controlled substances.

17          e.     Narcotics traffickers sometimes "front," that is, provide on  
18 consignment, controlled substances to their clients. These books, records, receipts, notes,  
19 ledgers, commonly known as "pay and owe sheets," are maintained where the traffickers  
20 have ready access to them. Increasingly, sophisticated DTO's maintain these records  
21 electronically, either on computers or on cell phones or so-called "smart phones."

22          f.     Traffickers of controlled substances commonly maintain addresses or  
23 telephone numbers in books or papers which reflect names, addresses, and/or telephone  
24 numbers of their clients and associates in the trafficking organization. Again,  
25 sophisticated DTO's maintain these records electronically, either on computers or on cell  
26 phones or so-called "smart phones."

27          g.     Persons involved in drug trafficking conceal in their residences  
28 caches of drugs, large amounts of currency, financial instruments, precious metals,

1 jewelry, and other items of value and/or proceeds of drug transactions as well as evidence  
2 of financial transactions relating to obtaining, transferring, secreting, or the spending of  
3 large sums of money made from engaging in narcotics trafficking activities.

4 h. Drug traffickers amass large proceeds from the sale of drugs and that  
5 they attempt to legitimize these profits. To accomplish these goals, drug traffickers  
6 utilize domestic banks and their attendant services, securities, cashier's checks, safe  
7 deposit boxes, money drafts, letter of credit, brokerage houses, real estate, shell  
8 operations, and business fronts. Persons involved in drug trafficking and or money  
9 laundering keep papers relating to these activities for future reference.

10 i. Drug traffickers very often place assets in corporate entities in order  
11 to avoid detection of these assets by government agencies.

12 j. Since the Government's efforts at seizing and forfeiting drug related  
13 assets have been widely publicized in the news media and by word of mouth, I know that  
14 drug traffickers often place assets in names other than their own to avoid detection of  
15 these assets by government agencies. Even though these assets are in other person's  
16 names, the drug dealers actually own and continue to use these assets and exercise  
17 dominion and control over them.

18 k. My experience shows, and Court decisions have recognized, that  
19 unexplained wealth is probative evidence of crimes motivated by greed, in particular,  
20 trafficking in controlled substances.

21 l. Evidence relating to ownership and interest in real property is often  
22 located at the residences, businesses and banks of traffickers.

23 m. Drug traffickers take, or cause to be taken, photographs of  
24 themselves, their associates, their property, and their product. These traffickers usually  
25 maintain these photographs in their possession.

26 n. Narcotic traffickers who distribute controlled substances must  
27 maintain on hand amounts of U.S. currency in order to maintain and finance their on  
28 going narcotics business. Traffickers commonly deal in currency because of its

1 untraceable nature, and also convert their illicit currency into currency equivalents such as  
2 cashier's checks and money orders.

3 o. Traffickers utilize cell phones, smart phones, Blackberry devices,  
4 text messages and/or email devices for ready access to their clientele for the purpose of  
5 maintaining their drug related business, and to store customer and supplier names and  
6 contact information.

7 p. Persons trafficking and using controlled substances commonly sell or  
8 use more than one type of controlled substance at any one time.

9 q. It is common for drug dealers to also be users of their product, and it  
10 is common for the drug user to keep paraphernalia, such as syringes, pipes, spoons,  
11 containers, straws, razor blades, and other items which are associated with the use of  
12 controlled substances as well as paraphernalia associated with the manufacture and sale  
13 of controlled substances such as scales, sifters, containers, cutting agents and other  
14 packaging materials associated with the manufacturing, processing and distribution of  
15 controlled substances in their vehicles, residences, and/or storage units.

16 r. Drug traffickers commonly have in their possession, on their person,  
17 and at their residences, and/or in their vehicles and storage units, firearms, and other  
18 weapons which are used to protect and secure a drug trafficker's property. Such property  
19 may include, but is not limited to, controlled substances, paraphernalia for the use or sale  
20 of controlled substances, books, records, jewelry, and U.S. currency.

21 s. Based on my experience, evidence of drug trafficking, such as the  
22 items described above, is likely to be found where the drug dealers reside, in their  
23 vehicles, and in their storage units, despite the lack of direct evidence of criminal activity  
24 at the residence or the passage of several months since the last reported activity.

25 t. I am familiar with case law in the Ninth Circuit that holds that  
26 evidence of drug trafficking, such as the items described herein, is likely to be found  
27 where the drug dealers reside, and a search warrant may be properly issued for a  
28 suspected drug dealer's residence (or temporary residence or storage locker) despite the

1 lack of direct evidence of criminal activity at the residence or the passage of a number of  
2 months since the last reported activity.

3 u. I know that marijuana and cocaine are controlled substances. In my  
4 experience and the experience of the law enforcement agents with whom I associate, the  
5 illegal distribution of controlled substances is frequently a continuing activity over  
6 months and years.

7 v. Persons involved in the trafficking of controlled substances typically  
8 will obtain and distribute drugs on a regular basis, much as a distributor of a legal  
9 commodity would purchase stock for sale. Similarly, such drug traffickers will maintain  
10 an "inventory," which will fluctuate in size depending upon the demand for and the  
11 available supply of the product.

12 w. It has been my experience that drug traffickers keep records of their  
13 illegal activities also for a period of time extending beyond the time during which the  
14 trafficker actually possesses/controls illegal controlled substances, in order to maintain  
15 contact with criminal associates for future transactions and so that the trafficker can have  
16 records of prior transactions for which the trafficker might still be owed money or might  
17 owe someone else money.

18 x. The aforementioned items are often maintained by the drug trafficker  
19 in secure locations within the premises under their dominion and control, in their  
20 vehicles, storage units, residences, and/or on their person, not only for ready access, but  
21 also to prevent them from being stolen by other drug dealers and to conceal them from  
22 law enforcement. These items are often concealed on property in/and around the  
23 trafficker's residences, in order to conceal the illicit items from law enforcement, should a  
24 search by law enforcement at the location occur.

25 y. Additionally, I know that drug dealers sometimes attempt to insulate  
26 themselves from detection by law enforcement by utilizing separate addresses from their  
27 actual residence to store illegal narcotics and currency derivative of the narcotics trade.  
28

1 **E. SOURCES OF INFORMATION.**

2 10. I have participated in the investigation described herein since August 2010.  
3 I have obtained the facts set forth in this affidavit through personal participation in the  
4 investigation described below, from the review of consensually recorded calls to date,  
5 from oral and written reports of other law enforcement officers, from records, documents  
6 and other evidence obtained during this investigation, and from confidential sources and  
7 sources of information who are associated with, and knowledgeable about, the subjects of  
8 this investigation and their confederates.

9 11. I have also reviewed a large number of intercepted phone calls, obtained  
10 pursuant to court-authorized Title III wiretaps both in this district and in Atlanta, Georgia.  
11 I have obtained and read official reports prepared by various law enforcement officers  
12 participating in this investigation and in the other related investigations by the DEA, HSI,  
13 and the Federal Bureau of Investigation ("FBI").

14 12. When this affidavit refers to vehicle ownership, either other agents involved  
15 in the investigation or I have reviewed the relevant state vehicle records from the  
16 Washington State Department of Licensing (DOL), or the equivalent agency in other  
17 states. Similarly, when I refer to identification documents, either other agents involved in  
18 the investigation or I have reviewed the relevant driver's license or similar records  
19 maintained by DOL or the equivalent agencies in other states. When I refer to the  
20 criminal history of a subject, either other agents involved in the investigation or I have  
21 reviewed the available criminal history from state or federal agencies. When I refer to  
22 telephone subscription records, either other agents involved in the investigation or I have  
23 reviewed the subscriber records obtained from the telephone company by administrative  
24 subpoena or court order, or I have obtained the information from other law enforcement  
25 officers familiar with this investigation. When I refer to telephone toll records, I have  
26 received the information from the telephone company pursuant to an administrative  
27 subpoena or court authorized pen registers.

28 13. Since this affidavit is being submitted for the limited purpose of obtaining



1 search warrants, I have not included every fact known concerning this investigation. I  
2 have set forth only the facts that I believe are essential to establish the necessary  
3 foundation for an order authorizing search warrants.

4 14. This investigation is being conducted by the Drug Enforcement  
5 Administration (DEA) Seattle Field Division, and Homeland Security Investigations  
6 (HSI) Seattle Special Agent in Charge (SAC) Office, Seattle Police Department (SPD),  
7 Washington State Patrol (WSP), and King County Sheriff's Office (KCSO). Some  
8 information pertaining to the targets of this information has also been obtained by the  
9 Federal Bureau of Investigation (FBI), which has a separate but overlapping investigation  
10 into a separate "cell" related to the Jacob STUART Drug Trafficking Organization (DTO)  
11 headed by Jason BARBOUR.

#### 12 INVESTIGATION AND PROBABLE CAUSE

##### 13 A. BEGINNING OF THE INVESTIGATION.

14 15. This investigation of the Jacob STUART DTO (hereafter STUART DTO)  
15 was initiated by DEA and ICE (now HSI), in Portland, Oregon. Both agencies were  
16 investigating independent marijuana related cases. Based on their independent  
17 investigations, these agents learned that the source of marijuana for these separate  
18 investigations was the STUART DTO. DEA and HSI agents conducted several proffer  
19 interviews of members of the DTO. These interviews started to identify several current  
20 members of the DTO, predominately Jacob STUART (hereafter STUART), Jason  
21 BARBOUR (hereafter BARBOUR), and Michael MURPHY (hereafter MURPHY). Due  
22 to the fact that there were no more significant investigative ties to Oregon, the  
23 investigation was transferred to DEA/HSI Seattle.

24 16. DEA/HSI Seattle initiated a joint investigation of the STUART DTO in  
25 May of 2010. Based on the investigation, the STUART DTO is believed to be an  
26 international and multi-state poly drug (marijuana/cocaine) distribution operation that is  
27 responsible for the distribution of approximately 1,000 to 2,000 pounds of marijuana and  
28 100 to 200 kilos of cocaine a month. The marijuana is being smuggled across the

1 Canadian border by various means, including inside cattle and manure trucks, according  
2 to one cooperating informant (CI-1).

3 17. In summary, information obtained from CIs, and corroborated via wiretap  
4 intercepts, surveillance, and other investigative techniques, shows the following:

5 a. STUART is the head of the DTO, coordinating the shipment of  
6 marijuana and, more recently, cocaine, across the United States and likely into and out of  
7 Canada. Historically, STUART's partner has been Jason BARBOUR. BARBOUR was  
8 and is the subject of a separate DEA investigation in California, a fact known to  
9 BARBOUR. As a result, BARBOUR is currently hiding out in the Atlanta, GA area,  
10 where he is the subject of a separate FBI investigation and wiretap.

11 b. The DTO uses aircraft flown by multiple pilots, including Michael  
12 MURPHY, David THOMSON, and Brandon PARKER, who all have been observed by  
13 surveillance agents picking up suspected loads of marijuana at Thun Field located in  
14 Pierce County Washington, which are then flown to various parts of the United States.  
15 Two more individuals with pilot's licenses who work with the DTO have been identified,  
16 David HULLIGAN and Daniel RASKANSKY.

17 c. The DTO also uses individuals who act as "catchers" (people who  
18 obtain and store the marijuana after it comes into the United States) and as  
19 runners/couriers. These individuals include LAMAR, ARTIACH, PROHASKA, and  
20 BENNETT.

21 d. STUART also works with customers, who sometimes help to also  
22 identify other potential customers for his drugs. These individuals include  
23 WASHINGTON, OLSON, and WOLVERTON.

24 e. Interviews with cooperating confidential informants (CIs), and  
25 subsequent wire intercepts, indicate that the primary source of supply (SOS) of the  
26 marijuana to the Jacob STUART DTO is a person who has been identified by their  
27 moniker of "RED" and who is a member of the White Rock Chapter (WRC) of the Hell's  
28 Angels based in British Columbia, Canada. Based on the investigation to date, I believe

1 that "RED" is Trevor JONES who has been identified by the Royal Canadian Mounted  
2 Police (RCMP) as the twin brother of Randal JONES. RCMP has also confirmed that  
3 Randal JONES is in fact a full patched member of the WRC Hell's Angels. It is believed  
4 that Trevor JONES is an associate of this chapter. Furthermore it was learned that Trevor  
5 JONES is a significant trafficker of marijuana into the United States. We have not  
6 intercepted any calls *with* Trevor JONES; however, we have (as detailed below)  
7 intercepted calls we believe are *about* JONES, and surveilled meetings between JONES  
8 and LAMAR, acting on STUART's behalf.

9 **B. THE CONFIDENTIAL INFORMANTS.**

10 18. The investigation proper began with interviews of two separate Confidential  
11 Informants, CI-1 and CI-2. CI-1 and CI-2 both began cooperating for prosecutorial  
12 consideration regarding state drug charges. Those state charges have since been  
13 dismissed and both continue to work owing to those dismissals as well as for possible  
14 monetary consideration.

15 19. I believe, as do other agents and officers that have worked with them, that  
16 the informants have provided reliable information, which has in large part been  
17 corroborated by other investigative techniques. These other techniques include:  
18 surveillance, trash pulls, arrests, interviews, seizures, and Title-III wire intercepts.  
19 However, I have not interviewed every agent or detective that has ever possibly  
20 encountered the CI, have not reviewed all police reports related to the CI's criminal  
21 convictions, and have not examined all aspects of their private lives that might reflect on  
22 their credibility, such as employment, civil lawsuits, rental history, and similar  
23 information. The confidential sources are working under DEA's Confidential Source  
24 Agreement. However, facts relevant to a credibility determination for the CIs may exist  
25 that investigators have not yet uncovered.

26 20. In judging the credibility of the CIs it is significant that they have been and  
27 will remain in contact with Jacob STUART and other members of the DTO.  
28 Investigators have asked the sources to make recorded phone calls and/or have monitored

1 face-to-face meetings with members of the DTO. Such operations involve close  
2 surveillance, a search of the source before and after, recordings (when possible) and  
3 complete debriefing of the source immediately afterward. It is extremely difficult for a CI  
4 to conceal drugs or money, or to fail to follow instructions closely.

5 21. CI-1 has one felony conviction for Assault 3 (1996), a Municipalities Code  
6 Violation arrest which was dismissed (2006), and a separate arrest for Traffic Offenses  
7 and Cannabis Trafficking (2010). The Cannabis Trafficking charges were dismissed after  
8 CI-1 agreed to assist law enforcement. CI-1 has proven to be reliable in this  
9 investigation. CI-1 has provided detailed and accurate information in reference to trapped  
10 vehicles, aircraft, descriptions of STUART, many of the known "catchers," "runners" and  
11 "transporters" some of the customers, as well as STUART's Canadian source of supply.  
12 CI-1 has provided many details about the unique manner in which the organization runs  
13 the marijuana side of its operation, as detailed in the following paragraphs. Moreover,  
14 CI-1 has followed instructions from law enforcement and has shown a willingness to  
15 continue to work with law enforcement even after the state cannabis trafficking charges  
16 were dismissed.

17 22. CI-2 has no criminal convictions, but was also arrested for Cannabis  
18 Trafficking in 2010. Those charges were dismissed after CI-2 agreed to work with law  
19 enforcement. CI-2 has similarly been reliable, and has assisted this investigation with  
20 reliable information in reference to vehicles and aircraft used by the DTO, descriptions of  
21 STUART and other members of the organization and the organization's operations in  
22 regards to marijuana trafficking. Moreover, CI-2 has followed instruction from law  
23 enforcement and has shown willingness to continue to work with law enforcement even  
24 after the state cannabis trafficking charges were dismissed.

25 23. During debriefings in 2010, CI-1 has related detailed information about the  
26 Jacob STUART DTO, including the following:

27 a. Jacob STUART has been involved in drug trafficking for  
28 approximately twenty years. STUART lives well beyond his apparent means and has no

1 legitimate source of employment. In recent years, STUART began getting Canadian  
2 marijuana from a man called "Red," who owns T-Barz in British Columbia. STUART  
3 gets the marijuana from Canadian sources which CI-1 believes is smuggled into the  
4 United States in truckloads of manure. STUART uses encrypted Blackberry devices to  
5 communicate with his Canadian sources.

6           b. According to CI-1, these loads of marijuana are delivered to  
7 so-called "catchers," David TURNER<sup>1</sup> and Isaac ARTIACH. TURNER and ARTIACH  
8 store the marijuana until it is picked up by the runners: Beau PAOLILLO, Richard  
9 LAMAR, Joshua TIANO. The runners transport the marijuana to customers throughout  
10 the United States.

11           c. STUART also employs a pilot, "O.G.," (identified as Michael  
12 MURPHY), who flies the marijuana and cash proceeds to locations in California and the  
13 Midwest. STUART was working to extend his operation into New York/New Jersey.  
14 STUART works with Jason BARBOUR, who used to be in Los Angeles, CA and who  
15 used to collect the money from the marijuana to purchase cocaine, which is transported  
16 back into Canada for sale. BARBOUR has, however, been living in Atlanta ever since  
17 his house was searched earlier this year by DEA Fresno.

18           d. According to CI-1, there are several stash locations in Seattle,  
19 including a stash house in West Seattle (identified as Trey OLSON's house). CI-1  
20 identified John Robert-Leon WASHINGTON as one of the DTO's Seattle-based  
21 customers and told investigators that STUART asked WASHINGTON to help get him  
22 connected with drug customers in Atlanta, GA.

23           24. Recently, CI-1 told investigators that STUART had approached him/her  
24 about opening an auto body shop with the purpose of laundering drug proceeds, by  
25 keeping two sets of books.

26           25. CI-2 told SAs Wilson and Lassiter that approximately three years ago, a  
27

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28           <sup>1</sup> To date, investigators have not seen TURNER working for the DTO.

1 member of the STUART DTO named Kenneth ADEE (a subject of the investigations  
2 carried out by Portland DEA/HSI), told him to buy this truck from an impound lot in  
3 California. CI-2 met with SA Jack Wilson and Lassiter, and showed them this truck. The  
4 truck has a concealed compartment, accessed under the tailgate. They asked CI-2 to  
5 engage STUART in a conversation regarding this truck.

6         26. On September 20, 2010, SA Jack Wilson and SA Lassiter witnessed and  
7 recorded a phone call between CI-2 and Jacob STUART on 323-493-0568 regarding the  
8 sale of a trapped vehicle, in the possession of CI-2, which was purchased for use by the  
9 organization. During that conversation, CI-2 told STUART that he/she had the truck  
10 ready to hand over to STUART's "buddy" (Richard LAMAR) and that he/she did not  
11 want the truck in his/her name if someone else was going to be using it. STUART told  
12 CI-2 that he was selling the truck to his "buddy" in "SF" (i.e., San Francisco), and told  
13 CI-2 to write up a bill of sale and his friend would sign off on it as soon as it was handed  
14 over.

15         27. During this conversation, it was apparent from the conversation and facts of  
16 the case that STUART understood why CI-2 would not want the truck to be in his/her  
17 name (because it was going to be used by others to smuggle drugs). In this conversation,  
18 STUART also made it clear that the truck belonged to him (STUART) and that it was his  
19 to do with what he would, and that STUART knew its purpose (i.e. it was trapped and  
20 used for illicit transportation of drugs).

21         28. During this phone call STUART arranged for CI-2 to meet with Richard  
22 LAMAR, a known runner for the DTO, to take possession of the truck. Later, under  
23 close surveillance, CI-2 delivered the truck to LAMAR, who then drove it to Lamar's  
24 Apartment in Auburn, WA and parked it. Surveillance watched as LAMAR got into his  
25 white pickup (Lamar's Truck, one of the subject vehicles for this application), which is  
26 also believed to be trapped, and backed it into his garage. LAMAR got out of his truck  
27 and went into the garage near the back of the truck. Moments later, LAMAR his truck  
28 out of the garage and parked it elsewhere in the lot. He then backed the grey trapped



1 truck that he just picked up from CI-2 into the garage, got out and walked into the garage.  
2 LAMAR was only in the garage for a few minutes, then pulled out and parked. Shortly  
3 thereafter, LAMAR and his then girlfriend, Cara FULTON, drove the grey truck to San  
4 Francisco.

5 29. With the knowledge that both of these trucks are trapped and that LAMAR  
6 has been identified as a transporter for the DTO, I believe that LAMAR unloaded either  
7 narcotics or bulk cash drug proceeds from the white truck into garage, then loaded them  
8 into the grey truck, which was then delivered to a customer or other member of the DTO  
9 in San Francisco.

10 30. CI-2 says that members of the DTO use the trap compartment to transport  
11 marijuana and cash proceeds. CI-2 has provided investigators with the precise location of  
12 a stash house in Seattle and general information about stash houses in Detroit and Los  
13 Angeles. CI-2 also identified STUART as the head of this trafficking organization as  
14 well as the following information:

15 a. STUART is the head of the organization based out of Seattle.  
16 STUART works with "G" or Jason BARBOUR, who used to live in Southern California.

17 b. CI-2 saw a photograph of Trey OLSON and identified OLSON as  
18 another person working for STUART. CI-2 said that he/she and STUART picked up  
19 marijuana at OLSON's house in Seattle. OLSON was not at the house that, but CI-2 saw  
20 photographs of OLSON all over the house. During a recent de-briefing, CI-2 directed  
21 investigators to Trey OLSON's house and pointed to it as surveillance drove by, saying  
22 that was the "stash house" previously mentioned.

23 c. Also, CI-2 recognized OLSON from an encounter that took place in  
24 March 2010 in Cleveland, Ohio. On that occasion, CI-2 was instructed to rent a hotel  
25 room, where he/she put approximately 40 pounds of marijuana that he/she picked up  
26 earlier in another city from MURPHY. BARBOUR and OLSON came to the hotel and  
27 instructed him/her to go downstairs and wait in the bar. BARBOUR and OLSON were  
28 supposed to be introducing CI-2 to the contact there, but the contact insisted on meeting

1 with BARBOUR. When CI-2 returned to the hotel room the marijuana was gone and  
2 there was a suitcase with over \$400,000 inside, with a note indicating the amount, but  
3 CI-2 cannot remember the exact figure. CI-2 said that he/she left the suitcase in the hotel  
4 room, but was told later that Kenneth ADEE picked it up later that day.

5 31. According to CI-2, STUART provides the DTO transporters with a phone  
6 number to contact either MURPHY or the intended customers on in order to conduct a  
7 drug transaction. In most cases, the transporters will discontinue the use of these phones  
8 after each transaction or, simply when the phones minutes run out or expire. The only  
9 reason the DTO members can have for doing this is to avoid being associated to the  
10 numbers, thus avoiding law enforcement detection.

11 32. Recently, the investigation has identified another source, CI-3. On March  
12 7, 2011, CI-3 was traffic stopped near Cedar Rapids, Iowa, on I-80, at the direction of  
13 Seattle DEA. CI-3 was previously intercepted on numerous calls with Jacob STUART  
14 utilizing TT-3. Based on those calls, monitoring agents believed that CI-3 was  
15 transporting drug proceeds back to the west coast after collecting proceeds and  
16 distributing marijuana in various cities that the DTO supplies.

17 33. During this traffic stop, agents/officers seized a significant amount of U.S.  
18 Currency that was contained in several boxes and wrapped in plastic. The total amount  
19 seized was \$1,065,346. CI-3 agreed to cooperate with law enforcement, and he/she was  
20 escorted back to Seattle, WA.

21 34. SA Andrea Lassiter, SA Jack Wilson, and other agents/officers involved  
22 with this investigation have de-briefed CI-3. During this debrief, agents did not (and  
23 have not) disclosed the fact that we are intercepting Jacob STUART and already  
24 investigating his DTO.

25 35. CI-3 stated that initially he/she was recruited by Trey OLSON to assist in  
26 the delivery of marijuana by vehicle and by plane. CI-3 was shown a Washington DL  
27 photo of Trey OLSON (without identifying information) which he/she positively  
28 identified as OLSON. CI-3 stated that he/she had delivered marijuana to the area of Los

1 Angeles, CA for OLSON. CI-3 did state on one occasion in 2009 he/she had seen 20  
2 kilograms of cocaine at OLSON's residence in West Seattle, WA.

3 36. CI-3 said during the course of time dealing with OLSON, OLSON referred  
4 CI-3 to work for a person whom CI-3 knew as "Shorty" with a first name of "Jacob."  
5 CI-3 was shown a Washington DL photo of Jacob STUART which he/she positively  
6 identified as the person he/she knew as "Shorty" and Jacob.

7 37. CI-3 has stated that he/she has been taking direction from STUART for the  
8 past two to three years. CI-3 stated that the \$1,065,346 seized by law enforcement  
9 belonged to STUART and other members of the DTO. CI-3 stated that STUART is the  
10 main person who is directing the delivery of marijuana and collection of drug proceeds  
11 and referred to him as the boss. CI-3 stated that STUART directs him/her via telephone  
12 on marijuana deliveries, including where and to whom. CI-3 stated that STUART would  
13 call CI-3 with a phone number and a code to give when dealing with the customer. CI-3  
14 stated the he/she has made delivered marijuana to customers named "Harley," "Honey,"  
15 "Rome" and "Buzz" as well as other individuals he did not have names for.

16 38. CI-3 stated that "Slim" would provide him/her with the phones and that  
17 they would be programed with "Shorty's" phone number. CI-3 stated on one occasion  
18 he/she had purchased a phone to use for business. CI-3 stated that he/she would receive a  
19 new phone almost on every trip, but currently he/she has had his/her current number  
20 longer then usual.

21 39. Two phones were recovered during the traffic stop. A review of CI-3's two  
22 phones showed the following numbers listed for "Shorty": 253-293-0777 and 206-718-  
23 0476. We were intercepting the first number, pursuant to a Title III wiretap authorized by  
24 the Honorable Richard A. Jones. Interception ended on April 23, 2011.

25 40. CI-3 confirmed that STUART is a significant trafficker of marijuana who is  
26 probably making millions of dollars. CI-3 also provided information regarding a  
27 purchase of property by STUART and his wife, who we know to be Brooke STUART.  
28 CI-3 stated that they had placed \$100,000 on top of the table and placed under \$100,000

1 underneath the table.

2 41. CI-3 knows that STUART is also directing Mike MURPHY to move  
3 marijuana and cash about the country as well. CI-3 was shown a California DL photo of  
4 Michael MURPHY. CI-3 stated that MURPHY is flying marijuana throughout the  
5 country on behalf of STUART, delivering marijuana and then collecting the proceeds.  
6 CI-3 stated that he/she has predominately delivered the drug proceeds to Michael  
7 MURPHY at his hangar located at/near Marysville, CA. CI-3 stated that MURPHY's  
8 wife, who we know to be Pamela MURPHY, is paid to count the drug proceeds. CI-3  
9 stated he/she does not know where or to whom MURPHY delivers the drug proceeds.

10 42. CI-3 also stated that STUART has a partner who used to live in southern  
11 California but fled to Atlanta, GA, due to some type of law enforcement action. Based on  
12 the context, CI-3 is almost certainly speaking of Jason BARBOUR, the subject of the  
13 parallel FBI-Atlanta investigation. Agent Lassiter subsequently showed CI-3 a picture of  
14 BARBOUR, which he tentatively identified as STUART's partner. CI-3 thought the  
15 picture looked like the man he knew to be the partner, but thought he was a bit heavier.  
16 CI-3 has also been shown a picture of Berry BARBOUR, Jason's father, and  
17 unequivocally identified that person as "the partner's papa," whom he met while  
18 delivering marijuana in southern California. CI-3 knows the partner (Barbour) was  
19 dealing cocaine and that he/she believes that STUART knew of his partner's dealing of  
20 cocaine. CI-3 believed he/she may have met the partner in Detroit, MI where he/she had  
21 delivered marijuana and collected drug proceeds on behalf of STUART.

22 43. CI-3 provided information of a white male by the AKA of "Slim." On  
23 March 18, 2011, Agent Wilson showed CI-3 a Washington State Driver License  
24 photograph of Richard LAMAR with all other identifying information removed. CI-3  
25 confirmed that Richard LAMAR was the person he knows as "Slim," and that CI-3  
26 sometimes refers to LAMAR as "Pic" because he/she "picks up the weed from  
27 [LAMAR]."

28 44. On March 16, 2011, during a consensually recorded phone call, STUART

1 offered to provide CI-3 with funds to make some repairs to an airplane used for  
2 transporting marijuana. On March 17, 2011, under our supervision, CI-3 met with  
3 LAMAR, who delivered \$10,000 in U.S. currency to the CI. Agents were able to see  
4 LAMAR and identify Lamar's VW, which he was driving when he arrived to deliver the  
5 cash. In addition, shortly before this meeting, through remote surveillance, SA Wilson  
6 saw LAMAR arrive at Washington's residence and take something from the recycle bin  
7 and put it under his shirt. I believe that LAMAR likely took money from the bin, which  
8 he then gave to CI-3.

9 45. CI-3 stated that the marijuana is being smuggled into the United States via  
10 fishing boats by Canadians. CI-3 stated that, approximately a year and a half ago,  
11 OLSON directed CI-3 to travel to Anacortes, WA, to wait for a fishing boat that had  
12 smuggled marijuana. CI-3 stated he/she had waited two days without meeting any fishing  
13 boat. CI-3 was later told the boat was intercepted by law enforcement. CI-3 does not  
14 know who is supplying the marijuana to the STUART DTO.

15 46. CI-3 also stated that he/she had recruited Daniel RASKANSKY to fly  
16 marijuana with him/her. CI-3 stated that RASKANSKY made four trips; two with CI-3  
17 and two without. On the latter trips, CI-3 flew via commercial airline and met with  
18 RASKANSKY in the destination city. CI-3 stated one of these trips was to Joliet, IL.  
19 CI-3 stated he/she had flown commercially to Chicago, IL, where he/she was picked up  
20 by Michael MURPHY in a rental van and both met with RASKANSKY. RASKANSKY  
21 had flown marijuana to this location and it was loaded into MURPHY's rental van.  
22 MURPHY and CI-3 then departed with the marijuana. This event was observed and  
23 independently reported by a Source of Information ("SOI") at the Joliet, IL airport.

24 47. Since the seizure and debrief, CI-3 has been making directed calls to  
25 STUART regarding the seizure of the money. At our instruction, CI-3 has attempted to  
26 convince STUART that the money seized by law enforcement was stolen by unknown  
27 parties from the aircraft while it was parked. That ruse has, to date, proven to be  
28 successful.



1 **C. SURVEILLANCE OF AIRCRAFT.**

2 48. For example, On July 24, 2010, HSI Seattle received information from  
3 Customs & Border Protection (CBP) Air & Marine Operations Center (AMOC) that the  
4 pilot of an airplane with tail number N2668M, a 1986 red and white, fixed wing single  
5 engine Beech B36TC with serial number EA-453, registered with the FAA to be owned  
6 by Michael MURPHY, and known to be operated by Michael MURPHY, activated a  
7 flight plan that designated Pierce County Airport, located at 16715 Meridian East,  
8 Puyallup, Washington as the first intended destination. SA Lassiter contacted CBP Office  
9 of Air & Marine (OAM) in Bellingham, Washington for surveillance assistance.  
10 Surveillance was initiated by HSI Seattle as well as CBP OAM.

11 49. At approximately 10:18 a.m., surveillance officers observed the above  
12 described airplane taxi to the fueling area at the fixed base operator (FBO) located on the  
13 airfield. Surveillance officers observed two people get out and begin fueling the airplane.  
14 MURPHY was identified as the pilot and, PARKER was later identified as the passenger  
15 in the aircraft on the incoming flight. PARKER left the airplane and walked towards the  
16 restaurant, which is located near the fueling station, while MURPHY taxied the plane to  
17 an isolated area located at the north end of the airfield.

18 50. At approximately 10:58 a.m., surveillance officers observed as a Lamar's  
19 Truck parked next to the airplane. A white male, who was identified as LAMAR, exited  
20 the truck and hugged MURPHY. Surveillance officers then observed as both LAMAR  
21 and MURPHY unloaded six or seven large black hockey type duffel bags from the bed of  
22 the truck and placed them into the cargo area of the airplane. MURPHY covered the  
23 loaded cargo area of the aircraft with a tarpaulin or blanket. After LAMAR was observed  
24 leaving the airfield in his truck, PARKER returned to the airplane and took off. Once  
25 airborne, PARKER activated a flight plan, indicating that his first intended destination  
26 would be Will County Airport located near Chicago, IL.

27 51. At approximately 4:30 p.m., AMOC reported that PARKER had diverted  
28 his flight to a small town in Wyoming, where he tied down the airplane and stayed the



1 night. The following morning, PARKER continued to St. Louis, MO, where he landed  
2 and tied down the airplane. Surveillance was continued on PARKER and the airplane by  
3 HSI agents in St. Louis. PARKER went to a casino, where agents were able to confirm  
4 his identity. PARKER stayed the night in St. Louis and took a commercial flight back to  
5 California the following day.

6 52. MURPHY subsequently traveled on commercial flights to St. Louis, where  
7 he rented a van. Agents observed, (by use of a camera previously installed at the airport),  
8 MURPHY drive to the airplane and unload the hockey bags from the plane into the van.

9 53. Based on the foregoing, investigators believe that LAMAR delivered  
10 hockey bags that contained marijuana to PARKER and MURPHY at Pierce County  
11 Airport in Puyallup, WA. This marijuana was then flown to St. Louis, where  
12 investigators know the DTO distributes marijuana to along with other cities located in the  
13 Midwest and East Coast of the United States.

14 54. On August 23, 2010, SA Andrea Lassiter received notification from CBP  
15 Air and Marine Operations Center (AMOC) that a target aircraft that is utilized by the  
16 STUART DTO to transport currency and narcotics filed a flight plan to fly from  
17 California to Washington State. The aircraft was described above as having tail number  
18 N2668M. The first intended destination was Pierce County Airport in Puyallup, WA.

19 55. At approximately 7:00 p.m., surveillance officers observed the target  
20 aircraft land and taxi to a tie down location near the north end of the airfield.  
21 Surveillance officers observed a white male, later identified as THOMSON, exit the  
22 airplane, tie it down and take a taxi cab to the Holiday Inn Express located in Puyallup,  
23 WA.

24 56. On August 24, 2010, surveillance officers initiated surveillance at the  
25 Pierce County Airport and at the Holiday Inn Express. At approximately 11:21 a.m.,  
26 surveillance officers observed as THOMSON arrived at the airport in a taxi. At  
27 approximately 11:51 a.m., THOMSON walked to the airplane and began pre flight  
28 checks. At approximately 1:12 p.m., LAMAR arrived at the airport in **Lamar's Truck**.

1 LAMAR and THOMSON unloaded hockey type duffel bags from the back of the truck  
2 and placed them into the aircraft. Surveillance officers observed ten bags in all loaded  
3 into the airplane. LAMAR later departed the airport in his truck and THOMSON  
4 departed in the airplane.

5 57. Investigators believe that in the incident described above, LAMAR  
6 transferred ten hockey bags filled with marijuana to THOMSON, who later flew it to the  
7 Midwest to be distributed to the customers of the STUART DTO.

8 58. On September 5, 2010, AMOC reported that an airplane with tail number,  
9 N2668M, was flying to Pierce County Airport in Puyallup, WA. Surveillance was  
10 initiated at the airport and at LAMAR's apartment. At approximately 11:00 a.m.,  
11 surveillance officers observed LAMAR's truck backed partially into LAMAR's garage,  
12 unit #62. Surveillance officers observed LAMAR at the back of his truck unloading tires  
13 from the bed of the truck. LAMAR then loaded at least three heavy bags, two were black  
14 and one was tan, into the back of his truck. Surveillance officers maintained surveillance  
15 as LAMAR drove away after the bags were loaded.

16 59. At approximately 11:26 a.m., LAMAR arrived in his truck at Pierce County  
17 Airport, where eventually he met with THOMSON. At approximately 12:29 p.m.,  
18 surveillance officers observed LAMAR park his truck to the rear and to the east of the  
19 airplane. Due to the positioning of the truck, surveillance officers were only able to  
20 observe the legs of LAMAR and THOMSON as they walked back and forth between the  
21 truck and the plane. From what the officers could see, however, it appeared that LAMAR  
22 and THOMPSON were unloading items from the truck and then loading them into the  
23 airplane. Later, both LAMAR and THOMSON departed the airport in their respective  
24 conveyances. AMOC established the airplane on radar as it took off from the airfield.

25 60. Later this same day, HSI Sacramento agents conducted surveillance at the  
26 Yuba City Airport, Yuba City, California. Surveillance officers observed the aircraft with  
27 tail number N2668M, land at the airport. This is the home airport where the pilots hangar  
28 the airplane. Investigators believe that in the incident described above, THOMSON again

1 picked up marijuana from LAMAR then flew it back to Yuba City, California.

2 61. On November 28, 2010 AMOC reported that the pilot (THOMSON) of an  
3 airplane with tail number N2668M filed a flight destined for Pierce County Airport in  
4 Puyallup, WA. Surveillance officers initiated surveillance at **LAMAR's apartment** in  
5 Auburn, Washington and at the airport.

6 62. During the surveillance at **LAMAR's apartment**, surveillance officers  
7 observed LAMAR load at least six hockey style duffle bags into **Lamar's Truck**.  
8 LAMAR then drove the truck to the Pierce County Airport and met with THOMSON,  
9 who had just landed at the airfield. Surveillance officers then observed as THOMSON  
10 and LAMAR retrieved ten hockey bags from the truck and placed them into the airplane.  
11 Shortly thereafter, LAMAR left the airfield in his truck and THOMSON entered the  
12 airplane. AMOC picked the plane up on radar as it took off from the runway. AMOC  
13 followed the radar track for the plane, which returned to Yuba City Airport in Yuba City,  
14 CA.

15 **D. INTERCEPTED CALLS.**

16 63. On or about January 7, 2010, the Honorable Richard A. Jones, U.S. District  
17 Court Judge of this District, signed an order authorizing the wire intercept of two target  
18 telephones, one being used by MICHAEL MURPHY, the other being used by JACOB  
19 STUART. Both phones were also the subjects of numerous prior pen trap orders from  
20 this Court. Those wiretaps were conducted for a period of thirty days. The wiretap on the  
21 phone used by STUART was renewed by Judge Jones on February 18, 2011, and a new  
22 line (also used by STUART) was added.<sup>2</sup> Both of those wiretaps were renewed again by  
23 Judge Jones in an order dated March 23, 2011. In short, we have intercepted  
24 approximately 90 days of calls by STUART to and from other members of the DTO.

25 64. The following is a summary of selected phone calls that establish that  
26

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27 <sup>2</sup> We discontinued interception of MURPHY's phone, because it was not used  
28 much, and almost exclusively to contact STUART.

1 STUART is, in fact, managing a multi-state DTO.

2 65. January 9, 2011, Session No. 53. This call was between Stuart and an  
3 Unknown Male, using phone number 425-418-4139 (hereafter, "UM4139"), tentatively  
4 identified as Beau PAOLILLO. PAOLILLO is believed to be a runner for the DTO.  
5 During the call, UM4139 spoke with STUART about using different phone lines and  
6 coded information. In particular, UM4139 gives STUART a code, "ABLLKCHSAR."  
7 Before UM4139 states this code, he tells STUART that he is not using a new phone, and  
8 seems to pause and hesitate as if reluctant to give information over his older phone. After  
9 UM4139 states the code, STUART asks UM4139, "Should I call you on a different line  
10 than I am using?," and UM4139 responds affirmatively. Based upon this exchange, I  
11 believe that this unknown person was relaying coded drug trafficking related information  
12 to STUART.

13 66. Group Supervisor Harkonen of HSI was able to decode this phrase by  
14 unscrambling the letters, and determined it actually referred to the word BLACKHORSE.  
15 An analysis of this code resulted in the identification of a phone number 312-254-6938.  
16 This phone number is listed in the tolls of STUART's new phone number of 253-293-  
17 0777 (TT-3). Specifically, session No. 53 was intercepted at approximately 12:26 p.m.  
18 STUART made contact with 312-254-6938 from one of STUART'S known phone  
19 numbers, at approximately 12:30 p.m. that same day - just four minutes after receiving the  
20 coded phone number. On that basis, I believe that STUART and UM4139 (probably  
21 PAOLILLO) continued to discuss drug business on those two phones after ending the  
22 intercepted call.

23 67. On January 10, 2011 at approximately 8:02 a.m. (Session Number 63),  
24 Jacob STUART, using Telephone 253-350-6785, placed an outgoing call to Michael  
25 MURPHY, who is using 323-627-4784. During this call, STUART asks MURPHY if  
26 MURPHY has a way to store anything in "Windy's" [phonetic pronunciation] . Based on the  
27 investigation to date, I believe that "Windy" may be code for Chicago (the "Windy City"), a  
28 known distribution node for the DTO.

1 68. MURPHY and STUART go on to discuss "Harley", who is, according to a CI  
2 in this case, a "catcher" for the DTO. According to the CI, a catcher is someone that stores  
3 the loads of marijuana and then distributes portions of it out to the transporters for the DTO.

4 69. STUART tells MURPHY they may have to locate "Harley" by calling his sister.  
5 MURPHY mentions that they've had to do that before and further says that "[Harley has] got  
6 so many little devices, he loses one or it, that's, you know, cause I've left messages and then  
7 a month later he'll call me back and say, 'I finally found it, I apologize' that kind of stuff, you  
8 know." Based on the investigation to date, and my training and experience, I believe this may  
9 be a reference to "Harley" having multiple telephones.

10 70. Then MURPHY, getting back to the question of storage in 'Windy's,' tells  
11 STUART, "You know, there's actually, the only thing that he could or should do is like what  
12 I do sometimes, I rent a van, a little family storage van, you know, and just put it in there, then  
13 sometimes I gotta come back. You know what I mean?" STUART says, "Yeah." MURPHY  
14 states, "I've done that more than once." During the course of this investigation, surveillance  
15 officers in multiple cities have seen MURPHY unload hockey-type bags of suspected  
16 marijuana into rented minivans. In late August and early September, MURPHY left a load of  
17 hockey bags in the back of a minivan, parked in the hotel parking lot in St Louis while  
18 MURPHY returned to California. HSI SA Todd Ostrom looked into the window and could  
19 see that the load of bags was covered with a blanket or tarp, but one corner was flipped over.  
20 SA Ostrom could see that there were bags piled up under the covering.

21 71. Based upon this information, I believe during this conversation STUART is  
22 asking MURPHY where another male member of the DTO can store marijuana in 'Windy's',  
23 and MURPHY is advising that this unidentified person should rent a van and store the  
24 marijuana in it until they can locate 'Harley' to drop off the drugs. Furthermore, this  
25 discussion illustrates the fact that the members of the DTO are using multiple communication  
26 devices and that, on occasion, they lose track of them. MURPHY is also confirming what  
27 surveillance has shown so far, that he prefers to use rented family style vans to transport and,  
28 in fact, store the drugs for the DTO.



72. "Harley" has been identified as Frank J. LOZANO. LOZANO is believed the be a catcher for the STUART DTO. During a recent debrief, CI-1 and CI-2 both confirmed that they have both made deliveries to "Harley" in Chicago, IL. CI-1 told me that he/she believes "Harley" is friends with Jason BARBOUR's father, Berry BARBOUR. CI-1 believes that "Harley" may also be working for the DTO in Los Angeles, CA. CI-1 was shown a driver license photograph of LOZANO, with all other identifying information removed, and CI-1 confirmed that the man in the photograph is the same person he/she knows as "Harley." CI-3 has also told agents that he has met with a "Harley," but we have not yet shown him a photo of this individual.<sup>3</sup>

73. CI-3's information about "Harley" has been independently corroborated by surveillance observations. On March 4, 2011, agents watched LOZANO meet with CI-3 in the Chicago area inside a vehicle registered to LOZANO. Surveillance observed HULLIGAN exit from the vehicle carrying a small brown package.

74. On January 15, 2011, Robert James WOLVERTON, called STUART's phone, TT-1, using phone number 425-327-9776. During this call (TT-1, Session No. 137), WOLVERTON tells STUART that another man apparently has payment for STUART. WOLVERTON says, "He has checks for the eighty-two, he's all, like, ready to go, so we need to figure out where he's giving everything. He wants to do it as quickly as possible." STUART and WOLVERTON continue to discuss an unidentified apparent customer saying that he wants the "exotics." WOLVERTON asks STUART if he wants to coordinate the pick-up and STUART tells WOLVERTON he will.

75. Based on this initial call, I believe that the WOLVERTON is a facilitator or middle-man for the STUART DTO. It appears that he is telling STUART that one of the customers has "checks" (payment) for the "eighty-two," which I believe is referring to eighty-two pounds of marijuana.

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<sup>3</sup> Again, CI-3 does not know that we are using a Title-III to intercept STUART, and we have endeavored to keep that information from him. Too great a display of apparent clairvoyance by law enforcement might serve to alert CI-3 to the possible existence of the wire.



1       76. On January 16, 2011, Session No. 147, Trey OLSON, using telephone  
2 number 206-518-2789, tells STUART that he has returned to Washington and that he has  
3 some orders for him. He tells STUART that he is in Southern Washington at a Best  
4 Western hotel. The following day, during Session No. 166, STUART calls OLSON  
5 asking if they can meet up. OLSON reminds STUART that he is out of town and tells him  
6 they will meet on Tuesday. I have confirmed that OLSON did stay at a Best Western  
7 located in Washougal, WA. This city is located in southern Washington just across the  
8 border from Portland, OR. When OLSON refers to "orders," I believe this to be for orders  
9 for marijuana.

10       77. On January 18, 2011 Session No. 173, John WASHINGTON, using  
11 telephone number 206-473-0727, tells STUART that he has "half of the check" (meaning  
12 money). STUART later tells WASHINGTON that he will have "SLIM" (LAMAR) en  
13 route and maybe get him on his way "outta here" (meaning STUART'S residence).

14       78. In response to this call, surveillance officers arrived at **Washington's**  
15 **Residence**, 6300 39th Ave S, Seattle, WA. At approximately 8:59 p.m., S/A Tom Phillips  
16 observed **Lamar's Truck**, back into the driveway at this residence. LAMAR got out of  
17 the truck. A short period of time later, LAMAR retrieved a box from the bed of the truck  
18 and carried it into the garage.

19       79. At approximately 9:33 p.m., S/A Tom Phillips observed LAMAR enter his  
20 truck and then depart. Surveillance followed the vehicle until it reached I-405 northbound.

21       80. At approximately 10:04 p.m., HSI G/S Anne Harkonen was maintaining  
22 surveillance of **Stuart's Residence** in Kirkland. GS Harkonen observed the **Lamar's**  
23 **Truck** drive by Stuart's residence, and then conduct a U turn where he parked directly in  
24 front of the residence.

25       81. Based on the intercepted calls, it is believed that WASHINGTON had  
26 obtained a portion of money owed to STUART from an unknown customer as the money  
27 was referred to as "half of the check." STUART said he would send "SLIM" over; we  
28 know "SLIM" is an alias for LAMAR, which was further corroborated when LAMAR

1 arrived at **Washington's Residence**. I believe that LAMAR did deliver some marijuana  
2 when he carried in the box into the garage. I also believe that LAMAR did collect the  
3 cash and transport it to STUART's residence.

4 82. On February 18, 2011, The Honorable Richard A. Jones authorized the  
5 continued interception of one of the phones utilized by STUART (TT-1, above), and also  
6 authorized agents to begin intercepting a second phone used by STUART (TT-3).  
7 Interception began shortly thereafter.

8 83. On February 19, 2011, STUART was intercepted speaking with LAMAR  
9 (TT-3 Session 39). During the call, the two men discuss having boxes of an unidentified  
10 product, which based on the context, the investigation to date, and my training and  
11 experience I believe to be controlled substances, likely marijuana. They discuss some of  
12 the product being "the blacks," some "the blues" and some "yellow," and how some were  
13 mislabeled. Based on the context, these terms are referring to different qualities or grades  
14 of marijuana, with some being more desirable/valuable than others.

15 84. Later that day, STUART talks with HULLIGAN, (TT-3 Session 46) who is  
16 believed to be a pilot/courier for the DTO, and they discuss the same general topic.  
17 STUART tells HULLIGAN that he gave the "black and blue ones to Suede" when he was  
18 supposed to give him "yellows." The two discuss fixing the mistake during this and other  
19 later calls. Based on the context, HULLIGAN had mis-delivered a controlled substance to  
20 one of their customers, "Suede."

21 85. Also on February 19, 2011, we intercepted a series of calls between  
22 STUART and LAMAR (TT-3, Sessions 68, 74, 77, 79, 80) during which STUART is  
23 directing LAMAR on where to meet with another individual referred to as "Red" at a  
24 hotel. As referenced above, "Red" is a known moniker for Hells Angel associate Trevor  
25 JONES, a known Canadian marijuana supplier.

26 86. During Session #68, STUART speaks Richard LAMAR, who is using phone  
27 number 253-293-4947. LAMAR tells STUART, "I just landed. Yeah." STUART  
28 responds, "Ok, if you'll go over to the Aria Hotel." During this series of calls, it appears

1 that STUART is consulting something to provide directions to LAMAR to meet with  
2 JONES, and that there was some confusion as to what room number JONES was staying in.  
3 From the context, and based on information provided by a Confidential Source, I believe  
4 that STUART is reading the directions off of a Blackberry device. That conclusion is  
5 bolstered by the fact that at one point, (during Session 79), STUART says "just try to find  
6 it [JONES' room] 'cause I don't wanna fuckin,' I mean, I don't talk to him on the phone  
7 so it's like a pain in the ass."

8 87. Moments later, in Session #80, STUART tells LAMAR to use the code word  
9 "SLICK" (which is STUART's code name), and not to give the code to anyone until he  
10 confirmed his code name, "RED." STUART says, "Hey Buddy. He said, he just said to  
11 make sure, you know, use a code word, "Slick," but he said don't give it to anyone until  
12 they tell you their name's "Red," too, but he's in his room now, so."

13 88. Finally, in Session #83, LAMAR tells STUART, "Hey, I just met him."  
14 STUART says, "Okay, cool." LAMAR continues, "Alright, it's all done." STUART says,  
15 "Alright player." LAMAR says, "And, uh, he said, 'Hi.' He had nothing but good things to  
16 say about you." STUART says, "That's good." LAMAR continues, "Yeah, he says you're  
17 his best guy-which is good." STUART says, "YEAH, Yeah. Yeah. So that's good." And  
18 the conversation ends shortly thereafter.

19 89. Records checks show that LAMAR did fly from Seattle to Las Vegas, NV  
20 on that date. "Red" is the nickname or codename for Trevor JONES, the primary suspected  
21 Canadian source of supply to the STUART DTO. As summarized above, according to  
22 Canadian law enforcement Trevor JONES is a Hell's Angels member and/or associate.  
23 Records checks confirm that Trevor JONES did fly from Canada to Las Vegas, NV,  
24 making entry into the U.S. on February 14, 2011. Furthermore, DEA Las Vegas  
25 confirmed that Trevor JONES was staying at the Aria Hotel, in room number 34-047  
26 during this time frame.

27 90. On February 21, 2011, STUART called LAMAR (TT-3 Session 146).  
28 STUART asked LAMAR what he "ended up getting from DUB . . ." LAMAR responded

1 that he "pulled sixty and I only gave him ten, and he's ready to see me again." STUART  
2 responded that he "might need you [LAMAR] to run some other errands too. When you  
3 go see him [DUB] just take paperwork to make a deposit in a bank . . ." They go on to  
4 discuss girls and other business, including a reference to "SDs," which I know from my  
5 training and experience to be slang for a type of marijuana.

6 91. Based on the investigation to date, I believe "Dub" is John WASHINGTON.  
7 As set forth above, WASHINGTON is a customer/member of the DTO and was  
8 intercepted speaking to STUART during the first wiretap. Based on the context, I believe  
9 LAMAR is referring to having delivered, and planning to deliver, pounds of marijuana to  
10 WASHINGTON. LAMAR has been observed on surveillance at **Washington's residence**  
11 on numerous occasions, engaged in conduct consistent with delivering controlled  
12 substances.

13 92. We also intercepted calls regarding a second meet between LAMAR (acting  
14 at STUART's direction) and T. JONES ("Red"). On February 24, 2011, TT3, Session  
15 #257, LAMAR, using 253-293-4947, tells STUART, "Um, I didn't catch an early flight. I  
16 can catch one in a minute or, I was wondering if I can go tomorrow. Or does he need me  
17 there today?" STUART says, "No. You gotta go. I already told him that you'd be there  
18 between 10:00 and 12:00, and he's like." LAMAR interrupts, "All right, I can be there at  
19 3:00, then." STUART says, "Okay, same room. You'll be in, right at, you'll be in at 3:00?"  
20 The two discuss the time LAMAR will be at the room.

21 93. Later STUART asks, "Okay, and to take another 20?" (Likely, \$20,000).  
22 LAMAR tells him, "Oh, yeah, I can do that." The call ends shortly thereafter.

23 94. Seattle agents were able to see LAMAR and a female companion before they  
24 boarded their flight to Las Vegas and were able to determine what clothes LAMAR was  
25 wearing. Later, LAMAR we confirmed, by video surveillance, that LAMAR was at the  
26 Aria Hotel. The security team at the Aria Hotel also confirmed the description of LAMAR  
27 and his clothing. Based on this conversation, we believe that during this and the previous  
28 trip LAMAR was delivering money to Trevor JONES, which the STUART DTO owes for

1 marijuana obtained from the JONES brothers.

2 95. Also on February 24, 2011, TT3, Session #272, LAMAR calls to tell  
3 STUART that he's landed. STUART tells LAMAR to make sure to get an e-mail address  
4 from him. STUART also says, "Oh, okay, and then another thing that I want: If he asks  
5 you any questions like what's in stock, you know?" LAMAR says, "Okay. Hello? Stock?"  
6 STUART continues, "Say more than what we still have in stock, like in what you're  
7 holding onto. Up it by a few more than we have, a couple hundred at least." LAMAR  
8 says, "Oh! Okay. Stock." STUART continues, "Like five-plus... like what's in stock and  
9 then say like three or four hundred of them are Kongs." STUART continues explaining  
10 how many to add to the actual number then LAMAR asks, "Okay. Are we falling behind  
11 or something? What's up?" STUART explains, "Well, yeah. I just want to make him think  
12 that there's more than we've got. You know what I mean? It's still slow." LAMAR tells  
13 STUART, "Alright, well me and my boys will hook it up." The call ends shortly  
14 thereafter. During this call, STUART is telling LAMAR to overstate how much of the  
15 undesirable Kongs (a strain of marijuana) they have, so that they will not have to absorb  
16 any more of them into their stock and/or pay for the ones they have yet to sell.

17 **E. COCAINE SEIZURES.**

18 96. As set forth above, law enforcement seized more that \$1 million in drug  
19 proceeds from one of the DTO's pilots. The pilot agreed to work for law enforcement  
20 (referred to as CI-3), in the hopes of obtaining consideration on his future federal charges.  
21 Law enforcement provided CI-3 with fake police reports, purporting to show that the  
22 seized cash was stolen from his airplane during a random break-in at an airport. STUART  
23 and his associates believed this story.

24 97. On March 24, 2011, CI-3 met with Jacob STUART. During their  
25 discussion, STUART told CI-3 that there was a faster way to pay off the debt owed  
26 (arising out of the million dollar seizure). STUART told CI-3 that they could start making  
27 more money by flying the "other thing," meaning cocaine. STUART explained that the  
28 cocaine would be flown from southern California to Bellingham, WA. STUART also



1 stated that they could make \$500 per, meaning per kilogram, with a minimum of \$25,000.

2 98. During this discussion, STUART made it clear that flying this "other thing"  
3 was more serious, in his mind, than transporting marijuana; at one point, STUART said  
4 something to the effect of "I would not want them to know that is what we are doing, so I  
5 do not want him, if we had to buy a beater car, I mean, it is a pretty solid thing. They have  
6 had it going for a while. I just hate that and that shit, that is what I am looking at, like not  
7 being able to see my kids ever again. You know what I mean?"

8 99. Based on this discussion, DEA Seattle put in a place a plan to arrange for an  
9 undercover (UC) to pick up the cocaine utilizing CI-3. CI-3 was directed to tell STUART  
10 that he could not fly the cocaine himself due to problems with his aircraft, but that he  
11 knew another pilot (in reality, a DEA UC) who would do so for \$15,000 in cash.

12 100. On April 1, 2011, CI-3 met with STUART who began to arrange for a pick  
13 up of cocaine in Santa Monica, CA. The two were together, with STUART receiving  
14 information from another person (likely Jason BARBOUR), which he relayed to CI-3. CI-  
15 3 in turn relayed information to the UC "pilot." CI-3 and STUART had previously  
16 discussed, during a number of recorded calls, the logistical arrangements for picking up  
17 the cocaine.

18 101. At approximately 1:30 p.m., CI-3 told S/A Wilson that the cocaine was in a  
19 Chevrolet Astro van with damage to the front end. S/A Wilson located the vehicle and  
20 drove it to a safe location. S/A Wilson located a box in the back of the vehicle that  
21 contained ten kilograms of suspected cocaine. Two of the kilograms of cocaine were  
22 tested using a presumptive field test; both tested positive for cocaine. After unloading the  
23 cocaine from the vehicle, S/A Wilson returned and parked the vehicle at the prearranged  
24 drop location. The vehicle sat there until approximately 9:00 p.m., officers/agents  
25 observed a Nissan passenger car arrive. An unknown person exited from the vehicle and  
26 took possession of the van and then both departed.

27 102. Later in this same day, CI-3 also met with Richard Lamar while Jacob  
28 STUART was present. LAMAR brought CI-3 a new phone which is a push-to-talk type,



1 which had STUART number programmed as "Harry" and LAMAR as "Slim." LAMAR  
2 gave CI-3 (at STUART's direction), \$24,400. Of that amount, \$15,000 of this was to pay  
3 the new pilot and the rest was for the repair of CI-3's own aircraft. STUART is  
4 continually asking CI-3 when the aircraft can be ready so CI-3 can fly marijuana once  
5 again.

6 103. On two occasions, agents attempted a controlled delivery of the ten kilos of  
7 cocaine. Both times the delivery did not take place due to various reasons.

8 104. On April 8, 2011, CI-3 through STUART arranged for another pick-up of  
9 cocaine at the same meet location as the ten kilo deal. CI-3 made contact with STUART  
10 via STUART's new phone, as witnessed by S/A Jack Wilson and S/A Brenna McIntosh.  
11 During one of the directed calls with STUART, STUART provide a phone number that  
12 CI-3 needed to contact, 310-729-4318. Furthermore, STUART told CI-3 to use the code-  
13 name "Arnold" when calling 310-729-4318, and that the user of that number would use the  
14 code-name "Adam." Also, CI-3 would need to ask "Adam" if he wants to go the gym  
15 early tomorrow (a code or recognition phrase). Also during this recorded call STUART  
16 indicated these were different people (suppliers) than the last time (meaning the previous  
17 ten kilo deal).

18 105. CI-3 placed a recorded call to "Adam" at the 310-729-4318 phone number  
19 and provided his/her name as "Arnold" and asked if he wants to go to the gym early  
20 tomorrow. CI-3 and "Adam" agreed for a time of 11:30 a.m. to conduct the drug  
21 transaction and an address, which the CS texted to "Adam." Eventually "Adam" provided  
22 a description of the vehicle that would contain the cocaine, which an undercover would  
23 locate and drive to a meet location.

24 106. DEA LA Group 7 provided a UC to pose as the pilot for this operation.  
25 Three boxes were located in the load vehicle, which were seized and transported to the  
26 DEA office in Los Angeles. The vehicle was then returned to the meet location.

27 107. 96 kilos of cocaine were ultimately seized from the boxes. DEA Los  
28 Angeles has since learned that the vehicle that transported the cocaine was rented by a

1 Canadian citizen.

2 108. Also on April 8, 2011, David THOMSON arrived at Thun Airfield,  
3 Puyallup, WA, in Michael MURPHY's aircraft. Surveillance observed Richard LAMAR  
4 drive LAMAR's truck to THOMSON on the tarmac. Surveillance observed LAMAR  
5 and THOMSON load 11 hockey bags into the aircraft. Later that evening, THOMSON  
6 flew the plane back to Yuba City airport, where agents watched him meet MURPHY and  
7 MURPHY's wife, Pamela. MURPHY helped THOMSON push the aircraft back into  
8 MURPHY's hangar and they closed the door. Later, all three left the area. Still later,  
9 THOMSON flew the aircraft to Chicago, IL, with the marijuana where MURPHY  
10 distributed it to Frank LOZANO and others.

11 109. On April 9, 2011, DEA Seattle, HSI Group 6, HSI Blaine, and other law  
12 enforcement conducted a controlled delivery of 106 kilos of "sham" cocaine. STUART  
13 had told CI-3 to leave his/her truck at a Safeway in Lynnwood with the keys inside the  
14 vehicle at 5:00 p.m. At approximately 5:24 p.m. an older white male was observed getting  
15 into the vehicle. Subsequently, the white male was identified as Glen STEWART, a  
16 Canadian citizen.

17 110. Surveillance followed the vehicle to a residence located in Custer, WA.  
18 STEWART unloaded the boxes from CI-3's vehicle into a shed behind the residence.  
19 Later STEWART was followed away from the residence in CI-3's vehicle, where a traffic  
20 stop was conducted. STEWART was then detained. Agents retrieved the boxes of  
21 "sham" cocaine. STEWART did not cooperate with law enforcement and was released.  
22 Agents then departed.

23 111. On April 17, 2011, at approximately 3:01 p.m., Jacob STUART using TT-3  
24 placed an outgoing call (call 1127) to phone number 253-261-8499, user Richard  
25 LAMAR. During the call and after greetings, STUART asked LAMAR, "Not much, not  
26 much. Do you, do we, do we, you have any way to get, get some, some heaters?"  
27 LAMAR asked, "Some what?" STUART replied, "Some heaters, burners." LAMAR  
28 said, "Oh. I could, yeah, I could get some." STUART replied, "Dude, I, yeah, they,

1 because they want some right now, our, our boss man does. Because they are sending  
2 some people down to deal with the situation and . . ." LAMAR interrupted and said,  
3 "Okay." STUART replied, "And he, and he says, and he is like, shit, I mean, I hate to say  
4 I am . . ." LAMAR interrupts and said, "They are looking for something for a pocket,  
5 something small?" STUART replied, "Something throw, I don't care. I don't think they  
6 have to be small. They just want, want some straps and . . ." LAMAR interrupts, "I will  
7 see what I can do."

8 112. STUART went on "And then also they were saying do you have anyone that  
9 could just get us some at least have some bats and some bear spray. If we can do that so,"  
10 LAMAR replied, "I can get that together." STUART said, "I fucking, I hate to this to you  
11 are about to leave just bring all this on you." LAMAR asked, "When do you need this  
12 done?" STUART replied, "ASAP."

13 113. On April 17, 2011, at approximately 4:11 p.m., Jacob STUART using TT-3  
14 placed an outgoing call (call 1133) to phone number 253-261-8499, user Richard  
15 LAMAR. During the call and after greetings, STUART asked, "Yeah, he is on, thank god  
16 that, he is on it, like they need those supplies now. He's got a crew down there and can,  
17 can you get up?" LAMAR replied, "I am on the south side of the capital right now. I am  
18 stopping in this store . . . To see what I can grab here. I am just thinking, your standard,  
19 standard kit, I'd imagine, right?" LAMAR continued, "I mean, what are they like,  
20 women's self-defense kind of stuff? Like a shocker and like mace?" STUART replied,  
21 "Yeah or you, the Cabella's has like yeah, get." LAMAR interrupted, "That is where I am  
22 at right now."<sup>4</sup> STUART replied, "But the, the only fucking problem with that dudes is  
23 when you get those, when you get those fucking tasers and shit don't they take your name  
24 and then shoot out a number? And make sure you don't fucking have your fingerprints on  
25

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26 <sup>4</sup> I know there is a Cabella's store near Olympia, which is the Capital of  
27 Washington State, and that this location carries Taser devices, firearms, and sporting  
28 goods.

1 any of that shit. Make sure you wipe that shit clean." LAMAR replied, "Oh, dude, I  
2 know."

3 114. Based on my knowledge of this investigation, I believe that STUART helped  
4 facilitate a 106 kilo cocaine transaction (total) that was conducted on April 1, April 8, and  
5 April 9 2011. STUART directed CI-3 to contact the UC pilot in order to obtain the  
6 cocaine in southern California. I believe that cocaine was destined for Canada and for the  
7 Hells' Angels, possibly Trevor JONES.

8 115. "Heaters," "burners," and "straps" are all common street terms for firearms.  
9 I believe the reference to "boss man" may be a reference to Trevor JONES who had sent  
10 or was sending some possible members or associates of the Hells Angels who were  
11 requesting guns, bear spray, and bats. I also believe it is likely that they intend to use these  
12 implements on Glen STEWART who they believe ripped them of 106 kilos of cocaine.  
13 These identified individuals may have crossed from Canada into the U.S.

14 116. Also on this date, surveillance was conducted of LAMAR where he was  
15 followed to a sporting goods store where he purchased three bats. There were several  
16 more intercepted calls between STUART and LAMAR in an attempt to locate and obtain  
17 guns. STUART told LAMAR to call John WASHINGTON regarding obtaining guns. At  
18 this time, it appears that they, STUART and LAMAR have not been able to obtain the  
19 guns for the individuals who were coming down to deal with the situation.

#### 20 PROBABLE CAUSE TO SEARCH SPECIFIC LOCATIONS

##### 21 A. STUART'S RESIDENCE AND VEHICLES.

22 117. As outlined above, according to the CIs, Jacob STUART, a.k.a. "Shorty" or  
23 "Slick," is the head of the DTO, and is responsible for the coordination and distribution of  
24 marijuana and cocaine throughout the United States. Both STUART and his wife, as well  
25 as their vehicles (A **Black 2007 GMC Yukon**, and a **white 2006 Lexus**) have been  
26 observed by surveillance at their residence on numerous occasions. In addition, STUART  
27 has been observed in the **Yukon** on a number of occasions meeting with the DTO  
28 members that he is directing.

1 118. Brooke STUART is known to be a licensed real estate agent and  
2 investigators believe that Brooke STUART may be assisting with the laundering of drug  
3 proceeds through the use of her real estate related knowledge. In particular, banking  
4 records indicate that Brooke STUART has made at least one cash purchase of land for  
5 approximately \$100,000, which cannot be supported by the STUART's income listed on  
6 employment records, in 2010. According to CI-3, STUART told them the STUART's  
7 actually paid \$200,000 for the property, \$100,000 "above the table" and \$100,000 "under  
8 the table." Brooke STUART drives the white 2006 **Lexus** GS44D.

9 119. On February 23, 2011, the Honorable Magistrate Judge James P. Donohue  
10 signed a so-called "sneak and peak" delayed-notice search warrant for the **Stuart**  
11 **Residence** in Kirkland, WA. Based on intercepted calls, we knew that STUART was out  
12 of town during this time period.

13 120. The search of STUART's residence did provide some intelligence. For  
14 example, agents located some drug ledgers, phone numbers, property records, more codes  
15 for phone numbers, Varinder KHAIRA's credit report (likely ordered for STUART by  
16 WOLVERTON, who has access to such reports as part of this employment, as discussed  
17 below), and other items of interest.

18 121. No items of evidence were actually seized; they were either photographed,  
19 scanned, or annotated on notes by the agents. The search warrant authorization permitted  
20 agents not to leave notice of this search.

21 **B. LAMAR'S APARTMENT AND VEHICLES.**

22 122. Richard LAMAR is currently residing at 5960 Terrace View Lane SE,  
23 Apartment H-206, Auburn, WA. Agents obtained LAMAR's apartment rental records, in  
24 which he lists STUART as his employer at a salary of \$5,000 a month.

25 123. As outlined in the prior section, LAMAR has been repeatedly intercepted  
26 speaking to STUART over the wiretap, and taking instructions from STUART. LAMAR  
27 is STUART's trusted "runner," picking up, storing, and delivering money and drugs on the  
28 DTO's behalf. STUART has also used him as an intermediary to deliver money to Trevor

1 JONES, the DTO's likely source of supply in Las Vegas.

2 124. As noted above, surveillance has observed LAMAR delivering suspected  
3 marijuana to the pilots, MURPHY, THOMSON, and/or PARKER, at Pierce County  
4 Airport (Thun Field) in Puyallup, Washington on multiple occasions. LAMAR typically  
5 uses **LAMAR's truck** to make those deliveries. Furthermore, surveillance conducted at  
6 the residence of WASHINGTON, who is discussed further below, has observed LAMAR  
7 delivering suspected marijuana to, and picking up cash payments from, WASHINGTON at  
8 this location on several occasions.

9 125. As outlined elsewhere in this affidavit, LAMAR also uses his **VW Golf** to  
10 meet with co-conspirators and do local deliveries, including to PROHASKA and  
11 WASHINGTON.

12 126. Based on the foregoing, I respectfully submit there is probable cause to  
13 believe that LAMAR is conspiring to, and actively engaged in, trafficking in marijuana  
14 and potentially other controlled substances. I also respectfully submit that there is  
15 probable cause to believe that evidence of those offenses, as described in Attachment B,  
16 can be found at **LAMAR's residence** and detached garage, and in his vehicles, as  
17 described in Attachment A.

18 **C. THE RESIDENCE AND VEHICLES OF PROHASKA.**

19 127. Phoebe PROHASKA is currently residing at 4003 SW 98th St, Seattle, WA  
20 (**Prohaska's Residence**). The investigation shows that she has acted as a courier for  
21 drugs and cash on behalf of the DTO.

22 128. On July 30, 2010, at approximately 8:10 p.m., LAMAR drove **Lamar's**  
23 **truck** to **Lamar's apartment** complex in Auburn, WA. Surveillance officers observed  
24 LAMAR park his truck, walk to his garage, unit #62 and subsequently drive out in  
25 **Lamar's VW**. LAMAR was observed while taking several bags from the truck and  
26 placing them into the back of the VW in the apartment parking lot, and then left the  
27 apartment complex while driving the VW.

28 129. Surveillance officers followed LAMAR to the Auburn Super Mall in



1 Auburn, WA, where he parked in the parking lot in several different locations. During  
2 each stop, LAMAR looked around the lot nervously and appeared to be sending text  
3 messages on a phone or other mobile device. LAMAR went into Sports Authority and  
4 came out moments later with a bag of what appeared to be shoe boxes. Based on my  
5 training and experience, I believe that this behavior, driving and looking around nervously  
6 and changing locations, is consistent with LAMAR engaging in counter surveillance  
7 activities.

8 130. Later that evening, LAMAR left the mall parking lot and drove to the Wal  
9 Mart located across the street from the mall. LAMAR parked the VW, and sat in it until  
10 approximately 8:59 p.m., at which time he got out. Moments later, **Prohaska's Van**  
11 pulled up to the driver's side of the VW. LAMAR got into **Prohaska's Van** and drove it  
12 back to his apartment and parked it in his garage, unit #62. At approximately 9:17 p.m.,  
13 surveillance officers observed LAMAR back **Prohaska's Van** into his garage, quickly  
14 unload multiple items from the van into the garage, close the door, and drive away from  
15 the apartment complex and eventually returned back to the Wal Mart parking lot in the  
16 Van. This observation is consistent with LAMAR picking up contraband from a co-  
17 conspirator for storage at his residence.

18 131. At approximately 9:31 p.m., surveillance officers observed LAMAR return  
19 to the Wal Mart parking lot in the Van. Surveillance officers observed LAMAR meet with  
20 a white female, who was later identified as Phoebe PROHASKA, in this parking lot.  
21 LAMAR and PROHASKA spoke briefly and then each re entered their respective cars and  
22 departed the parking lot.

23 132. PROHASKA drove directly to the Muckleshoot Casino in Auburn, WA.  
24 Surveillance officers located PROHASKA inside the casino. A surveillance officer  
25 engaged PROHASKA in conversation: she told the officer that her name is Phoebe and  
26 that she was waiting to meet her boyfriend, who would be angry if he saw her talking to  
27 another man. During the exchange, PROHASKA's Blackberry alerted that she had a  
28 message. PROHASKA asked the surveillance officer if that was his "berry" or hers, then

1 took the phone from her large handbag and began texting.

2 133. On July 31, 2010 at approximately 2:13 p.m., surveillance officers located  
3 **Prohaska's Van at Prohaska's Residence.**

4 134. On August 1, 2010, at approximately 6:12 p.m., SA Jack Wilson drove by  
5 **Prohaska's residence** and observed **Prohaska's Van**, as well as a silver Chevrolet  
6 Avalanche with Washington license B96167N, registered to "No Bull Pet Walking  
7 Service" were parked in the driveway. Public record database checks show that the  
8 business is registered to PROHASKA, as well. Based upon the exchange described above,  
9 investigators believe that PROHASKA supplied LAMAR with marijuana in her Van,  
10 which LAMAR backed into his apartment's garage, unit #62.

11 135. Furthermore, based on surveillance of PROHASKA in the casino,  
12 investigators believe that PROHASKA sent an encrypted text message to an unknown  
13 recipient regarding supplying LAMAR with marijuana. Investigators believe this is the  
14 same Blackberry that she later refused to give the password to officers during her traffic  
15 stop on August 3, 2010, as detailed next.

16 136. On August 3, 2010, Shasta County Sheriff's Deputy Chris McQuillan  
17 initiated a traffic stop on a silver Chevrolet Avalanche with Washington license B96167N,  
18 for following too closely. This is the same vehicle that SA Jack Wilson observed at  
19 PROHASKA's residence on August 1, 2010.

20 137. Deputy McQuillan made contact with the driver of the vehicle, who was  
21 identified as Phoebe PROHASKA via her Washington State Driver's License.  
22 PROHASKA told Deputy McQuillan that she was traveling to see her sick grandmother in  
23 San Gabriel, CA. Deputy McQuillan noticed that PROHASKA was extremely nervous  
24 and was overly friendly. Furthermore, Deputy McQuillan observed that the vehicle had  
25 multiple air fresheners, that her key ring had three separate alarm fobs, and that the  
26 passenger seat was filled with snack items and three unopened cans of Red Bull Energy  
27 drink. Training and experience has taught me that these are indicators of a drug trafficker,  
28 who is attempting to mask the odor of narcotics, as well as driving non stop during a

1 long journey.

2 138. Deputy McQuillan asked for consent to search PROHASKA's vehicle and  
3 she declined. Deputy McQuillan had Shasta County Sheriff K 9 Handler Kropholler apply  
4 his K 9, Maximus, to the exterior of the vehicle. Maximus gave a positive response for the  
5 odor of narcotics emitting from the vehicle.

6 139. Maximus was then placed inside the vehicle where again Maximus gave a  
7 positive result for the odor of narcotics. Upon conducting a search of the vehicle, two  
8 shoe boxes were located in the bed of the vehicle. These boxes contained several vacuum  
9 sealed bags of U.S. currency. Inside one box, the vacuum sealed bags were labeled "Pkg.  
10 1," and had markings on the side that appeared to represent the amount of cash. In the  
11 second box, the vacuum sealed packages were marked "Pkg. 2," and again were labeled  
12 with the amounts. The total amount of U.S. currency seized was \$656,900.

13 140. An interview was conducted with PROHASKA after she was advised of her  
14 Miranda rights. PROHASKA agreed to answer questions. PROHASKA stated that she  
15 left Seattle on August 3, 2010, and was traveling to visit a friend, Carmen, in West  
16 Hollywood, CA, and to visit her sick grandmother. PROHASKA denied any knowledge  
17 of the currency that was located in her vehicle. PROHASKA stated that the tailgate does  
18 not lock and anyone could have placed it in there. PROHASKA also said that she had two  
19 cellular phones. The first was an iPhone that she utilizes for her business as well as for her  
20 personal use. PROHASKA stated she had a "gas station" phone, which she had purchased  
21 and was a pay as you go service. PROHASKA stated that she used this phone mostly to  
22 call her boyfriend, "Clyde," whom she claimed was married.

23 141. PROHASKA was asked how many times she had driven money to Los  
24 Angeles. PROHASKA stated that this was the first time, thereby contradicting her  
25 previous statements.

26 142. Three cell phones were seized in all from PROHASKA; the two previously  
27 mentioned and a Blackberry phone. PROHASKA stated that the Blackberry was not hers.  
28 PROHASKA was asked for the password for the Blackberry and again she reiterated that

1 it was not hers, and then she requested an attorney. No further questions were asked.

2 143. A further search of the Chevrolet Avalanche revealed a sophisticated trap, or  
3 hidden compartment, that was accessible behind the backseat, where Maximus gave a  
4 positive response for the odor of narcotics. The trap was accessible using one of the key  
5 fobs that discovered on her key chain. No contraband was located in the hidden  
6 compartment.

7 144. We believe, based on training and experience, that PROHASKA was  
8 transporting drug proceeds to Southern California. Based on information received during  
9 this investigation, these proceeds were likely going to be used by the DTO to pay for  
10 cocaine. Investigators believe that PROHASKA was utilizing the Blackberry in order to  
11 maintain contact with Trevor JONES, Jacob STUART, or one of their associates.

12 145. Also, officers downloaded the pre paid phone that PROHASKA referred to  
13 as a "gas station" phone with telephone number 206 724 6640. There were several texts to  
14 phone number 206 669 2396 during a period of July 31, 2010 to August 1, 2010. Here are  
15 two that investigators believe pertain to drug proceeds: "It had 100 and a few 50's in it."  
16 This was sent on August 1, 2010. "Hey 1 of ur stacks from da Louis bag only has 4,300 in  
17 it." This was sent on July 31, 2010. Based on these texts, investigators believe this is  
18 regarding the drug proceeds that were eventually seized on August 3, 2010. Furthermore,  
19 the reference to "da Louis" bag may be a reference to St. Louis, MO, where MURPHY and  
20 THOMSON have transported drug proceeds from and to.

21 146. Furthermore, investigators believe PROHASKA is having other unidentified  
22 members, particularly FNU LNU, the white male driver of a Burgundy 2007 Chevy Tahoe  
23 with Washington license ACN5641, registered to Luci R. Lucarrelli at 8408 36th Avenue  
24 SW, Seattle, WA, who also resides in West Seattle, to transport either drugs or proceeds  
25 for the DTO.

26 147. Agents have requested and received vehicle rental records for PROHASKA.  
27 An analysis of these records dating from November 15, 2007, to June 4, 2010, shows that  
28 PROHASKA has rented numerous vehicles during this time, spending approximately

1 \$18,433.11 to do so. The total mileage for all of these vehicles during this time frame is  
2 approximately 132,895 miles. For instance, a vehicle rented by PROHASKA, a Chevrolet  
3 Suburban, was rented on November 1, 2009 and returned on November 27, 2009. The  
4 total mileage listed on this vehicle rental recorded was 7,119 miles.

5 148. On September 28, 2010, SA Jack Wilson and TFO Troy Swanson met with a  
6 Waste Management employee, who acquired refuse, as witnessed by TFO Swanson at  
7 PROHASKA's residence. The following is a partial list of these items that were deemed to  
8 be of evidentiary value; a Thrifty Car Rental receipt in the name of Phoebe PROHASKA  
9 for a vehicle rented on February 23, 2010 and returned on March 5, 2010; a Thrifty Car  
10 Rental receipt in the name of Phoebe PROHASKA for a vehicle rented on November 27,  
11 2009 and returned the same day; an Enterprise Car Rental receipt in the name of Phoebe  
12 PROHASKA for a vehicle rented on April 16, 2010 and returned on April 20, 2010; a  
13 receipt dated June 17, 2010 for the purchase of four I-Phones at an AT&T store located in  
14 Tukwila, WA, paid for in cash in the amount of \$220.

15 149. Based on what investigators have seen during this investigation thus far,  
16 investigators believe that PROHASKA was and/or still is renting vehicles for the DTO in  
17 order to transport narcotics or drug proceeds. These vehicles are being driven by unknown  
18 members of the DTO who are either transporting proceeds or narcotics throughout the  
19 country based on the mileage. Though the DTO is utilizing aircraft at this point in time to  
20 transport marijuana and cash, and also has access to specially modified vehicles with  
21 hidden "traps," it is also possible that the DTO is utilizing rental vehicles as well.

22 150. Tolls analysis shows that at one time, there were two common numbers  
23 calling one of STUART's phone numbers, 323 493 0568 and one of PROHASKA'S  
24 phones with phone number, 206 724 6640. The two common numbers between these  
25 phones are 360 640 4962 and 323 627 4554. Investigators believe these phones are used  
26 by unknown members of the DTO and were called up to August 3, 2010 by STUART's  
27 phone number, 323 493 0568. Furthermore, based on the fact that PROHASKA had a  
28 Blackberry, she may use this to communicate with either STUART or possibly Trevor



JONES. Again, according to CI 1, STUART, Trevor JONES, and others within the DTO are using these encrypted Blackberries to communicate with one another.

151. On April 22, 2011, a Seattle Police Department drug dog handler applied his canine to the exterior of **Prohaska's Van**, which was parked in her driveway. The dog did not alert on the vehicle. However, based on my training and experience, this does not definitively eliminate this vehicle as a conveyance for drugs and/or drug proceeds.

152. Based on the foregoing, I respectfully submit there is probable cause to believe that PROHASKA is conspiring to, and actively engaged in, trafficking in marijuana and potentially other controlled substances. I also respectfully submit that there is probable cause to believe that evidence of those offenses, as described in Attachment B, can be found at PROHASKA's residence, and in her vehicles, as described in Attachment A.

**D. PROHASKA'S STASH HOUSE (8805 35TH Avenue SW, Seattle, WA), and A Burgundy 2007 Chevy Tahoe, Washington license ACN5641**

153. This residence is associated with an unidentified white male, approximately 5'10", 160 lbs, with dark hair, who walks with a limp. This unidentified male currently resides at a different residence at 8408 36th Ave SW, Seattle, WA (West Seattle). This male has been observed driving **Prohaska's Van**.

154. Investigators have also observed this individual driving a Burgundy 2007 Chevy Tahoe with Washington license ACN5641, registered to Luci R. Lucarrelli at 8408 36th Avenue SW, Seattle, WA on numerous occasions while at a suspected "stash" residence located at 8805 35th Ave SW, Seattle, WA (West Seattle) (**Prohaska's Stash House**), that investigators believe is being utilized by the DTO. Furthermore, investigators have observed this individual unload bags out of various cars and rental moving vans into the garage of this residence. It is suspected that these bags contained cash.

155. On August 4, 2010, DEA Group D 21 was conducting surveillance of **Prohaska's Van.** Agents observed FNU LNU West Seattle driving the vehicle. During



1 the course of surveillance of this unknown white male, he conducted several "heat"  
2 checks, driving in a manner calculated to detect law enforcement: starting and stopping for  
3 no apparent reason, circling blocks, watching all other cars and drivers.

4 156. Later in the day, investigators learned of the traffic stop of PROHASKA  
5 from the previous night, which resulted in the seizure of money described above. During  
6 surveillance, this unknown white male had driven the **Prohaska's Van** from his identified  
7 place of residence at the time, 9402 36th Ave SW, Seattle, WA (West Seattle) to  
8 PROHASKA's residence, located at 4003 98th Street SW, Seattle, WA. Investigators  
9 believe this unknown white male, FNU LNU, is working for or with PROHASKA, and is  
10 associated to the STUART DTO.

11 157. On August 24, 2010, SA Jack Wilson conducted a trash pull at the suspected  
12 "stash" residence located at 8805 35th Avenue SW, Seattle, WA. Some items removed  
13 from the trash can located on the curb near the driveway of the residence were deemed to  
14 be of evidentiary value: two calling cards, Verizon 563-234-4086 and Tracfone  
15 1516-18534-49326; an activation card for a Tracfone with a portion of the  
16 IMEI/MEID/ESN that could be read 79-004-773-180; a Rite Aid receipt listing a Verizon  
17 Impulse card for \$15.00; a dry cleaning receipt in the name of Jason Perry with phone  
18 number 206-390-2346 (a silver Dodge truck with Washington license B11493S, registered  
19 to Perry has been observed in the driveway of this residence on many occasions); a power  
20 bill in the name of Brian Dixon, in the amount of \$20.11 with the address 8805 35th Ave  
21 SW, Seattle, WA.

22 158. Investigators have determined that the utilities at this residence are being  
23 paid by Brian DIXON, who also has a second residence in Seattle, according to public  
24 utilities. Surveillance has observed vehicles registered to a Brian A. DIXON at this  
25 residence on many occasions, but not on a consecutive basis that would indicate that he  
26 resides there.

27 159. SA Wilson queried law enforcement databases for the phone number of  
28 206-390-2346. This phone number was listed to Luci Lucarrelli, who is believed to be the

1 sister of Gina Lucarrelli-OLSON, who was previously married to Trey OLSON. As set  
2 forth above, according to CI information, OLSON is a member of the DTO.

3 160. Furthermore, a cream Lexus with Washington license 339XGA, registered to  
4 Luci Lucarrelli, which the unknown white male, FNU LNU has also been observed  
5 driving, has been observed parked in the driveway of this residence as well as at the  
6 nearby residence located at 9402 36th Avenue SW, Seattle, WA.

7 161. On September 7, 2010, SA Jack Wilson observed this unknown white male,  
8 FNU LNU having dinner with PROHASKA at a restaurant in West Seattle. Investigators  
9 have since installed a camera at the suspected "stash" located at 8805 35th Avenue SW,  
10 Seattle, WA, where surveillance has observed this same unknown white male arrive at  
11 various times of the night, unloading items into the garage either late at night or during  
12 early morning hours.

13 162. For example, on September 12, 2010, at approximately 6:44 p.m., SA Jack  
14 Wilson drove by the residence located at 9402 36th Avenue SW, Seattle, WA and  
15 observed a **Burgundy Chevy Tahoe** with Washington license 855CVJ (now ACN5641)  
16 parked on the street next to the residence. At approximately 6:52 p.m., SA Wilson  
17 observed as an unknown white male entered the driver's side of the Tahoe. SA Wilson  
18 confirmed that this was the same unknown white male who he observed on September 7,  
19 2010 having dinner with PROHASKA, as well as driving **Prohaska's Van** during a  
20 surveillance conducted on August 4, 2010. At approximately 6:57 p.m., SA Wilson  
21 observed as this unknown white male backed the Tahoe into the driveway of the "**Stash**"  
22 residence located at 8805 35th Avenue SW, Seattle, WA. The unknown white male then  
23 exited the vehicle and entered the residence.

24 163. Later that evening, at approximately 8:25 p.m., SA Wilson observed as the  
25 unknown white male backed the **Burgundy Tahoe** even closer to the garage door of  
26 **Prohaska's Stash House** and opened the garage door as well as the rear hatch area of the  
27 Tahoe. SA Wilson observed as the unknown white male loaded several items from the  
28 garage into the rear hatch area of the Tahoe prior to departing the residence. At

1 approximately 8:54 p.m., SA Wilson observed as the unknown white male returned to the  
2 residence in the Tahoe, backed into the driveway, and retrieved an item from the rear hatch  
3 area. The unknown white male placed the item on the ground before opening the garage  
4 door and placing the item into the garage. At approximately 9:06 p.m., SA Wilson  
5 observed as the unknown white male entered the Tahoe and departed the residence.

6 164. Based on surveillance observations, no one seems to be living in this  
7 residence. The window shades are always drawn and trash has only been placed outside  
8 rarely since investigators identified the residence. Investigators believe that the items  
9 loaded and unloaded by FNU LNU at the residence are either bags containing drug  
10 proceeds or drugs. Investigators believe this unknown white male is working for  
11 PROHASKA and was conducting "heat" checks on August 4, 2010 because he had already  
12 been alerted to the traffic stop that was conducted on PROHASKA, resulting in the seizure  
13 of currency.

14 165. On April 20, 2011, we asked Officer Carl Zylak of the Seattle Police  
15 Department (SPD) to apply his narcotics detection canine, "Zoe" to the exterior of this  
16 suspected **Stash House**. Officer Zylak is assigned to the SPD Narcotics Unit. Officer  
17 Zylak attended the Washington State Patrol (WSP) Narcotics Detection Canine Class in  
18 2009. Their training consisted of approx. 223 hours of training in the classroom and  
19 practical field applications. On Aug 7, 2009, "Zoe" and Officer Zylak were certified as a  
20 Narcotics Canine Detection Team. Since certification they have conducted weekly  
21 training together, in conjunction with other SPD narcotic detection canine handlers as well  
22 as with other agency handlers. To date "Zoe" has had over 127 training applications with  
23 384 finds, and over 158 search applications with 129 finds and 2 misses  
24 "Zoe" is trained to detect flake cocaine, rock cocaine, heroin, methamphetamine, and  
25 marihuana.

26 166. On April 20, 2011, Officer Zylak applied Zoe to the exterior of the garage on  
27 the north side of the residence; this part of the residence is open to the street and readily  
28 accessible to the public. Zoe exhibited an alert behavior as she went down the driveway,

1 observable when Zoe is in the presence of narcotics odor. Zoe worked down the drive way  
2 to the middle of the garage door and down to the west corner lower seam. She then  
3 followed up the retaining wall approx. 3 feet. Zoe went back to the garage door, and  
4 sniffed aggressively at the middle of the bottom seam of the garage door and then sat  
5 indicating she was at the source of narcotics odor.

6 167. As of this date, the FNU LNU with a limp has not been identified. On  
7 January 27, 2011, a SPD officer conducted a traffic stop of FNU LNU, who was driving in  
8 LUCARELLI's **burgundy Tahoe**. FNU LNU presented no identification to the officer,  
9 but gave the name of "John Davis," with a date of birth in 1976, Phone number:  
10 206-288-3934. SA Lassiter ran database checks in NCIC, WA DOL as well as  
11 commercial databases. One person with identifiable information was found in another  
12 state, with a matching name and date of birth,. However, photographs obtained for this  
13 individual did not appear to match FNU LNU. At this time, I believe that John DAVIS  
14 may be a false name.

15 168. Based on the foregoing, I respectfully submit there is probable cause to  
16 believe that FNU LNU is conspiring to, and actively engaged in, trafficking in marijuana  
17 and potentially other controlled substances. I also respectfully submit that there is  
18 probable cause to believe that evidence of those offenses, as described in Attachment B,  
19 can be found at the suspected **Stash Residence** accessed by FNU LNU located at 8805  
20 35TH Avenue SW, Seattle, WA, and in the **Burgandy Tahoe**, as described in Attachment  
21 A.

22 **E. THE RESIDENCE AND VEHICLES OF JOHN WASHINGTON.**

23 169. John WASHINGTON is currently residing at 6300 39th Ave South, Seattle,  
24 WA (**Washington's Residence**) according to surveillance conducted at the residence. The  
25 legal owner of the residence appears to be a relative of WASHINGTON'S.  
26 WASHINGTON is a local customer of the DTO. He is also believed to have secured  
27 other customers for the DTO's marijuana in other states, and has been repeatedly  
28 intercepted discussing drug transactions with STUART.

170. LAMAR has been observed making suspected drug deliveries and cash pickups from **WASHINGTON's residence**, and SA Jack Wilson believes that WASHINGTON is purchasing marijuana from the DTO for resale in the Seattle area. WASHINGTON may also be assisting with the distribution of marijuana in Atlanta, Georgia. In particular, CI-1 stated that STUART reached out to WASHINGTON for his drug contacts in both Western Washington and Atlanta. According to tolls analysis, WASHINGTON's phone number, 206 291 3737, has numerous calls to phone numbers with the Atlanta area code of 404. This number for WASHINGTON has also been in contact with previous phone numbers identified for OLSON and STUART.

171. On July 5, 2010, Joshua TIANO (hereafter TIANO), who was driving a recreational vehicle, was pulled over by the Putnam County Sheriff's Office in Indiana for unsafe lane movement and improper plate display. TIANO's passenger was Raymond BAILEY. Officers asked to search the vehicle and TIANO denied consent. Officers developed probable cause to search the vehicle after a drug detecting K 9 gave a positive response for the odor of narcotics in the vehicle. Officers searched the vehicle and discovered approximately 500 pounds of marijuana and \$13,300 in U.S. currency inside the RV.

172. One of TIANO's mobile phones was also discovered in the vehicle. It was determined that the phone had recently been in contact with WASHINGTON's phone number, 206 291 3737. Investigators believe that TIANO was transporting marijuana for the DTO and that he has previously supplied marijuana to WASHINGTON, based on the download of TIANO'S cell phone, which listed WASHINGTON's phone number.

173. On August 26, 2010, DEA Group D 21 conducted surveillance of LAMAR, who was driving **Lamar's Truck**. At approximately 9:28 a.m., surveillance officers observed **LAMAR's truck** parked near the sidewalk of the **Washington's Residence**. At approximately 9:36 a.m., surveillance officers observed LAMAR exit from this residence while carrying a bag that was approximately 2 feet by 2 feet. LAMAR placed this black bag behind the passenger seat of his truck and drove back to his apartment complex



1 located in Auburn, WA.

2 174. Investigators believe that LAMAR had just delivered marijuana to  
3 WASHINGTON and LAMAR was picking up payment for the drugs. Additional  
4 surveillance, as well as a camera that was installed near WASHINGTON's residence,  
5 shows that LAMAR has been there multiple times. During those visits, surveillance has  
6 observed LAMAR both dropping off and picking up items, consistent with conducting  
7 drug deliveries and picking up proceeds.

8 175. For example, on September 4, 2010, at approximately 3:42 p.m., SA Lassiter  
9 observed LAMAR arrive at **WASHINGTON's residence** in his black VW and back into  
10 the driveway. A Short time later, a gold Cadillac with Washington license AAM6652  
11 drove up to the residence and WASHINGTON got out of the vehicle. A green Chevrolet  
12 truck with Washington license A93938V also pulled in front of the residence and an  
13 unidentified black male exited the truck. WASHINGTON, LAMAR, and the unidentified  
14 male all entered the residence.

15 176. At approximately 4:35 p.m., all three men exited the residence, got into their  
16 respective vehicles and drove away. At approximately 6:58 p.m., LAMAR returned to  
17 **Washington's residence** in his VW and met with WASHINGTON in the driveway.  
18 LAMAR backed the VW up to the garage door and WASHINGTON opened the door.  
19 WASHINGTON then removed one medium sized dark colored bag from the rear  
20 hatchback area of the VW and LAMAR removed another similar dark colored bag from  
21 the same area and they placed the bags in the garage. LAMAR placed what appeared to be  
22 the spare tire cover back into the hatchback area. After closing the hatch on the VW,  
23 WASHINGTON and LAMAR both entered the garage and closed the garage door. At  
24 approximately 8:11 p.m., SA Lassiter observed as the VW pulled away from the residence  
25 but due to darkness, could not tell who was driving the vehicle.

26 177. On September 8, 2010, at approximately 6:07 p.m., SA Jack Wilson  
27 observed LAMAR arrive at **WASHINGTON's residence** in his VW. LAMAR parked in  
28 the driveway and entered the residence. At approximately 6:09 p.m., SA Wilson observed



1 as a black male, believed to be WASHINGTON, left the residence and walked towards the  
2 VW in the driveway. A short time later, WASHINGTON walked back towards the  
3 residence from the passenger side of the VW while carrying a medium sized blue gym bag  
4 and entered the residence. At approximately 6:32 p.m., SA Wilson observed LAMAR exit  
5 the residence while carrying a briefcase that was brown in color. LAMAR entered the  
6 VW and departed from the residence.

7 178. On September 9, 2010, TFO Troy Swanson met with Waste Management in  
8 order to retrieve refuse that was placed at the curb of **Washington's residence**. An  
9 employee of Waste Management retrieved the refuse at this residence and ensured that it  
10 was segregated from any other refuse. TFO Swanson obtained and transported the refuse  
11 to the DEA Seattle Field Division Office. SA Jack Wilson examined the refuse and  
12 obtained the following items of evidentiary value: a pound-capacity plastic bag that was  
13 ripped open and had an annotation of "75 Kush" (known to be a type of B.C. Bud) on it; a  
14 smaller size ziplock bag with an annotation of "Blue Dream" (known to be a type of B.C.  
15 Bud) on it; a digital scale (Tanita Model 1479); smaller plastic baggies; a Bank of America  
16 ATM receipt dated 09-08-10 for \$2,500 with Reference #620102148, Ranier Valley  
17 Banking Center, Checking 3: \*\*\*\*4150; a Federal Express package addressed to John R.  
18 WASHINGTON at 333 Gale PL S, Apt 5, Seattle, WA; a pill bottle with a phone number  
19 of 253-838-2892; a Safeway receipt with the name of Stephanie Puckett. Seattle Police  
20 Department K-9 Handler, Carl Zylek applied his drug detecting K-9, Zoe, to the packaging  
21 material (plastic bag, and ziplock bag) and scale that was seized. K-9 Zoe gave a positive  
22 alert to the odor of narcotics on the items.

23 179. On January 25, 2011, a call was intercepted on TT-1 to phone number  
24 206-473-0727 (call #219). It has since been determined that WASHINGTON is the user  
25 of this phone number, 206-273-0727. After their initial greetings, STUART tells  
26 WASHINGTON, "I am kinda in the neighborhood." WASHINGTON replied, "Yeah,  
27 where you located?" STUART stated, "By the Teriyaki spot. I am headed that way."  
28 WASHINGTON replied, "It is going to take me about twenty minutes to get over there."

1 STUART asked, "Oh, to your house?" WASHINGTON affirmed and STUART said, "I  
2 will just head that way. I will get something to eat there and then I will come." The call  
3 terminated a short time later.

4 180. At approximately 2:14 p.m., SA Wilson observed **Stuart's Yukon** arrive  
5 and parked to the north of **WASHINGTON's residence** on South Graham Street. At  
6 approximately 3:00 p.m., SA Wilson observed STUART exit from WASHINGTON's  
7 residence, enter his GMC Yukon, and depart. At approximately 3:03 p.m., SA Wilson  
8 observed WASHINGTON carry a cardboard box that was approximately 2 feet by 2 feet in  
9 diameter to his Chevrolet Tahoe, where he placed it inside the front passenger side of the  
10 vehicle.

11 181. On February 21, 2011, STUART called LAMAR (TT-3 Session 146).  
12 STUART asked LAMAR what he "ended up getting from DUB . . ." LAMAR responded  
13 that he "pulled sixty and I only gave him ten, and he's ready to see me again." STUART  
14 responded that he "might need you [LAMAR] to run some other errands too. When you  
15 go see him [DUB] just take paperwork to make a deposit in a bank . . ." They go on to  
16 discuss girls and other business, including a reference to "SD's," which I know from my  
17 training and experience to be slang for a type of marijuana.

18 182. On March 3, 2011, TT1, Session 584, WASHINGTON tells STUART,  
19 "Boss. I run down that guy, he done been busted by the police." STUART asks for details.  
20 WASHINGTON explains that the unidentified person had \$131,000, that he scraped  
21 together, and 130 "tennis shoes" (presumably code for drugs) and that the police got both  
22 and he barely got away. WASHINGTON goes on to say that this unidentified person ran  
23 away from the police, but that he left his identification in a car at the location where the  
24 "bust" happened. Furthermore, WASHINGTON says that the person has told him that his  
25 own people have given him up to the police and expects to be arrested any time.  
26 WASHINGTON believes that he and STUART are not known by the people that are  
27 talking and that they likely do not have anything to worry about. WASHINGTON goes on  
28 to describe a "guy with one arm," whom STUART does not seem to know.

183. On March 4, 2011, TT3, Session 509, STUART tells LAMAR about a loss, presumably the one described above by WASHINGTON. STUART tells LAMAR the loss is all on "Dub" but that he'll help him out.

184. Agents confirmed that on January 13, 2011, DEA St. Louis executed a consent search where they seized approximately \$140,000, which was supposed to be payment for STUART as well as approximately 88 pounds of marijuana that was supplied by the STUART DTO. During the search, agents also found 3 hand guns. There was, in fact, a person missing part of an arm associated with this seizure, and another individual got away while leaving behind their ID.

185. Later, during TT3, Session 511, LAMAR tells STUART he's at Dub's house and that he has new lines for STUART, himself and Dub. WASHINGTON gets on the phone and STUART asks how the unidentified person got back without his ID. STUART sounds suspicious of the reported loss, saying it sounds fishy, and asks for all the information. WASHINGTON says he does not have it, but can get copies. STUART says he needs to see the information [police reports]. WASHINGTON and STUART discuss supplying other contacts in other areas including "Vicky's" (code for Atlanta, GA, based on Mike Vick having played for the Atlanta Falcons) and working out a pay-back plan for WASHINGTON. STUART tells WASHINGTON he is lucky because he has lowered his prices. Near the end of the call STUART asks if WASHINGTON has a good sized check for him, not "just the thirty." WASHINGTON tells him, "It's like a fifty cent CD" (likely meaning \$50,000).

186. Based on the investigation to date, I believe "Dub" is John WASHINGTON. As set forth above, WASHINGTON is a customer/member of the DTO and was intercepted speaking to STUART during the first wiretap. Based on the context, I believe LAMAR is referring to having delivered, and planning to deliver, pounds of marijuana to WASHINGTON. LAMAR has been observed on surveillance at **WASHINGTON's residence** on numerous occasions, engaged in conduct consistent with delivering controlled substances.

1 187. Based on the foregoing, I respectfully submit there is probable cause to  
2 believe that WASHINGTON is conspiring to, and actively engaged in, trafficking in  
3 marijuana and potentially other controlled substances. I also respectfully submit that there  
4 is probable cause to believe that evidence of those offenses, as described in Attachment B,  
5 can be found at WASHINGTON's residence, as described in Attachment A.

6 **F. ARTIACH'S RESIDENCE.**

7 188. Issac ARTIACH currently resides at 13327 Puget Sound Blvd, Edmonds,  
8 WA (**Artiach's Residence**). ARTIACH has been identified by CI-1, by use of his driver's  
9 license photograph with all other identifying information removed, as "Isaac," a "catcher"  
10 for the STUART DTO. CI 1 stated that once the marijuana is smuggled across the  
11 Canadian border into the United States, the marijuana is then stored at ARTIACH's  
12 residence. Surveillance has placed LAMAR at this residence, and tracker data has  
13 confirmed that LAMAR has been at this residence on several occasions.

14 189. On August 18, 2010, DEA agents established surveillance on LAMAR at his  
15 apartment complex. At approximately 12:05 p.m., Task Force Officer (TFO) Troy  
16 Swanson observed LAMAR exit his apartment building (Building H) and enter his VW.  
17 Surveillance officers followed LAMAR to **ARTIACH's residence**, where he parked in  
18 the driveway. This residence is located in a remote area near Picnic Point Park on the  
19 Puget Sound. At approximately 2:38 p.m., LAMAR left the residence in the VW and  
20 drove around the nearby vicinity in a circuitous manner, looking at vehicles parked in the  
21 parking area of Picnic Park. After approximately five minutes of driving, in what  
22 appeared to be in a manner to detect law enforcement vehicles, LAMAR returned to the  
23 residence.

24 190. At approximately 2:48 p.m., surveillance officers observed as LAMAR left  
25 **Artiach's residence** in the VW and traveled southbound on Interstate 5 (I-5). GS Rich  
26 Hudon observed LAMAR exit off of I-5 at 220th Street in Mountlake Terrace, WA and  
27 noticed that LAMAR was looking in his rear view mirror at the drivers of other nearby  
28 vehicles and appeared to be nervous. At approximately 3:05 p.m., surveillance was

1 terminated as LAMAR traveled eastbound on 220th Street in Mountlake Terrace, WA.

2 191. On September 8, 2010, SA Jack Wilson displayed a Washington driver's  
3 license photo without any identifying information of Isaac ARTIACH to CI-1. CI-1  
4 positively identified the person in the photo as being "Isaac." CI-1 stated that ARTIACH  
5 is receiving ("catching") loads of marijuana for the STUART DTO. CI-1 stated that  
6 ARTIACH resides near Mukilteo, WA in a house that overlooks the bay and has a long  
7 driveway. CI-1 said that ARTIACH told him that he rented the house because it is  
8 difficult for law enforcement to observe. Furthermore, CI-1 said that ARTIACH is  
9 obtaining marijuana from "Red," identified as Trevor JONES and also from Humboldt  
10 County, CA. CI-1 stated that they are not sure how the marijuana is getting to  
11 ARTIACH's residence, but told agents that it was stored in a room located inside the  
12 residence. Once the marijuana arrives, ARTIACH divides up the marijuana for  
13 distribution. CI-1 has seen approximately 300 to 400 pounds of marijuana at ARTIACH's  
14 residence. According to CI-1, this marijuana was packaged in U-Haul boxes and labeled  
15 as dishes, and linen, etc., as if someone was moving. CI-1 stated that on two occasions  
16 he/she was with STUART when he/she obtained approximately 100 pounds of marijuana  
17 each time from ARTIACH's residence. According to CI-1, on one of the occasions, he/she  
18 was present when STUART sent "Red" an encrypted text message regarding the marijuana  
19 from his Blackberry. "Red" replied back to STUART, indicating that STUART was only  
20 getting 100 pounds of the marijuana that was at the residence. STUART told CI-1 that he,  
21 STUART, should not have sent the text to "Red" and should have just taken it all, meaning  
22 the marijuana.

23 192. Based on the foregoing, I respectfully submit there is probable cause to  
24 believe that ARTIACH is conspiring to, and actively engaged in, trafficking in marijuana  
25 and potentially other controlled substances. I also respectfully submit that there is  
26 probable cause to believe that evidence of those offenses, as described in Attachment B,  
27 can be found at ARTIACH's residence, as described in Attachment A.



1 **G. WOLVERTON'S RESIDENCE AND VEHICLES.**

2 193. Robert James WOLVERTON currently resides at 209 10th Ave S, Kirkland,  
3 WA 98033 (**Wolverton's Residence**). WOLVERTON is believed to be the user of 425-  
4 327-9776, which has been intercepted in phone calls with Jacob STUART on TT-1, as will  
5 be described elsewhere in this affidavit. WOLVERTON is believed to be a drug  
6 dealer/facilitator for the STUART DTO.

7 194. As outlined above, WOLVERTON was intercepted speaking with STUART  
8 on January 15, 2011, about marijuana trafficking.

9 195. On January 27, 2011, (Session No. 250) WOLVERTON and STUART  
10 arranged to meet the next morning.

11 196. On January 28, 2011, surveillance was established at STUART's house in  
12 Kirkland, WA. At approximately 8:15 a.m. a black GMC Yukon (**Wolverton's Yukon**)  
13 with Washington license 190VNG, registered to Robert J. WOLVERTON at 209 10th  
14 Avenue S, Kirkland, WA arrived at STUART's residence. The surveillance officers  
15 observed a white male with black or dark hair get out of the vehicle and go into  
16 STUART's house. After the man left STUART's house, surveillance followed him to  
17 Bothell, WA and the Cobalt Mortgage Company. Surveillance officers identified the driver  
18 as WOLVERTON. WOLVERTON parked the vehicle on the east side of the building and  
19 went inside.

20 197. A search of public Internet websites revealed that WOLVERTON works at  
21 Cobalt Mortgage Company. Additionally, WOLVERTON's Facebook social network  
22 website reveals that he is "Facebook Friends" with both Jacob STUART and Brooke  
23 STUART, as well as "Jim Benham," whose Facebook picture shows him to be James  
24 BENHAM, who is also believed to be working for the DTO as a vehicle "trap" builder.

25 198. Special Agent Steve Carnathan, operating a portable pen register and trap  
26 and trace device pursuant to an order issued in this district, renewed and authorized on  
27 January 20, 2011, by the Honorable U.S. Magistrate Judge Brian A. Tsuchida, confirmed  
28 that the phone or mobile device assigned the phone number 425-327-9776 was present at



1 or near STUART's house while WOLVERTON was present.

2 199. Based upon the intercepted TT 1 conversations, the surveillance  
3 observations, and the data gathered from the pen register, trap and trace device, I believe  
4 that WOLVERTON is the one using 425-327-9776, and that he is acting as a middle man  
5 or facilitator for the STUART DTO, helping to provide marijuana and collect payments  
6 and drugs from Varinder KHAIRA and Mondier KHAIRA, as well as their father, Parmjit  
7 KHAIRA, who appears to be a knowing participant.

8 200. It also appears that during every call intercepted to date between STUART  
9 and the person I believe to be WOLVERTON, they discuss another person referred to as  
10 "V." "V" was initially identified only by the first initial but in later calls, WOLVERTON  
11 refers to "V" as "Varinder." STUART and WOLVERTON are focused on finding "V,"  
12 who owes the DTO money and/or drugs.

13 201. I believe that WOLVERTON is referring to Varinder KHAIRA. On  
14 February 3, 2011, during TT-1 Session No. 345, WOLVERTON provided the address of  
15 Varinder's father (Parmjit KHAIRA) to STUART. The address provided by  
16 WOLVERTON is the same address listed for Parmjit KHAIRA in Washington State  
17 Driver License records. As the calls progress, it becomes apparent that STUART and  
18 WOLVERTON have not been able to make workable arrangements for STUART's people  
19 to pick up some "checks" (drug proceeds) and "work" or "food" (code for either drugs or  
20 drug proceeds) from those working with Varinder.

21 202. On January 31, 2011, there were multiple calls during which it appears  
22 STUART attempted to call the people working with "V." STUART tells WOLVERTON  
23 that the person he was supposed to call about picking up claims to have no idea what he is  
24 talking about and have subsequently turned off his phones. As these calls progress,  
25 STUART and WOLVERTON appear to become more frustrated.

26 203. For example, on January 31, 2011, during Session No. 292, WOLVERTON  
27 advises STUART, "Um, you wanna tell him that, uh, you know, um, I don't know what. I  
28 imagine that those guys know his real name. Just say, "V" That's the first initial of his

1 name. Just say 'V' gave me this number, gave me this address. I just need to talk to  
2 somebody. Need to figure out what's going on." STUART tells WOLVERTON, "Yeah,  
3 I'm not gonna say he gave me the address cause that would freak me out, if I was  
4 somebody . . . I mean, that he even did that just blows my mind, you know what I mean?  
5 It's like, dude, what the fuck? Who the fuck does that?" I believe STUART is amazed  
6 how "V" is giving out too much information such as the address regarding this transaction  
7 they are attempting to conduct.

8 204. A short time later, on January 31, 2011, during Session No. 298, STUART  
9 tells WOLVERTON, "I can't believe that he wouldn't stay on his phone for something this  
10 important, like stay close to his phone to make sure it went good." STUART later  
11 continues, "I mean, how would you, I don't understand with something worth so much,  
12 especially with what's supposed to be there paperwork wise AND the other thing? It's like,  
13 dude, are you kidding me?" I believe STUART is amazed that Varinder KHAIRA would  
14 not answer his phone due to the amount of money and drugs involved.

15 205. On January 31, 2011, during TT 1 Session No. 301, STUART and  
16 WOLVERTON continue to discuss the customer they cannot reach. WOLVERTON  
17 finally says, "Well, I guess, I figure at this point we'll probably just, uh, hopefully get  
18 connected tomorrow. If not, I got all, I got his dad's cell phone number, and I'm sure he,  
19 fucking, his dad knows what goes on. So . . ." STUART interrupts, "Yeah, well, his  
20 brother, his other, his brother said that he, that he knows what was going and was [stutters]  
21 offered to hand over the three hundred. So . . ." WOLVERTON asks STUART to repeat  
22 the last. STUART says, "Well, his, his bro said that he told his dad and his dad was  
23 offering up three hundred." WOLVERTON says, "Oh. Yeah, yeah, yeah." STUART  
24 says, "So, what I was gonna say was, 'I'll take a little more than that.'" The conversation  
25 appears to get interrupted by an unknown female and ends shortly thereafter.

26 206. Later, in Session No. 305, WOLVERTON instructs STUART, "Hey, why  
27 don't you try calling his main number with your 2 5 3? I bet you he answers because that's  
28 his parent's area code." [WOLVERTON seems to think the familiar area code will cause

1 the person to answer his phone.] WOLVERTON continues, confirming that STUART  
2 should call on the number he, WOLVERTON, just called STUART (meaning TT 1).  
3 WOLVERTON begins to tell STUART a phone number, beginning, "4 2 5," but the phone  
4 call ends abruptly, as if the call dropped. However, almost immediately after the call ends  
5 STUART places a call using TT 1 to 425 737 7460, but this call was not completed. SA  
6 Lassiter ran this number through commercial database (CLEAR) and found out it was  
7 associated to Varinder Singh KHAIRA. This is relevant since, based on intercepted calls  
8 described below, Jacob STUART and Jason BARBOUR are looking for Varinder  
9 KHAIRA to collect money and marijuana owed.

10 207. On February 1, 2011, in TT 1 Session No. 324, STUART and  
11 WOLVERTON confirm the identity of Varinder KHAIRA. WOLVERTON tells STUART  
12 that he spoke with the customer's dad. According to WOLVERTON, Varinder KHAIRA's  
13 father, who is Parmjit KHAIRA, told him, "Varinder, he's like terrible with money. You  
14 can't give him money." And later, WOLVERTON says that Varinder's dad said that  
15 Varinder is "used to two to three thousand dollars from his nine to five? and he'll go out  
16 and spend money on drinking and girls. Blah, blah, blah." STUART says, with a sarcastic  
17 tone, "This is a little bit more than that." WOLVERTON says, "Yeah [laughing]. I'm sure.  
18 He can party for a fucking week and half. Uh, so yeah, he basically said that, uh, well, one,  
19 he's not telling Alex, cause he doesn't want to stress Alex out with his disease. He hasn't  
20 talked to him in two months and, uh, that if he calls him, he'll definitely tell him, one: tell  
21 him to call me; but, two: call me as well and let me know. And I told him that he needs to.  
22 I said, 'If there's any contact anywhere, like, it needs to, it needs, the message needs to be  
23 delivered cause his health, his health is in jeopardy.'" STUART asks WOLVERTON if he  
24 knows Varinder's parents and WOLVERTON confirms that he knows the family very  
25 well, as well as having all the information on Varinder, and how to locate him.

26 208. On February 25, 2011, TT1, Session #477, STUART speaks to Robert  
27 WOLVERTON on 425-327-9776. STUART and WOLVERTON continue to discuss  
28 finding Varinder KHAIRA, whom they believe owe them a great amount of money and

1 drugs. STUART says, "Uh, yeah, so I had a guy check that area that his area code is, for a  
2 bill, he's got no bills in his name, no action on his credit card, uh, what else? And did I tell  
3 you that I went to the house and somebody else lives there?"

4 209. Later STUART discusses what he has done to find Varinder KHAIRA, "But,  
5 I've had someone on his lady's house. Hadn't seen anyone leave, but there definitely is, you  
6 know, someone's there and it's definitely her house, so. I mean, we do have that and his  
7 phone number, so, uh, it's just the next step. I'm finding out if this private detective can  
8 triangulate and if he can't, um, I might let his brother's asking me to have the phone  
9 number." WOLVERTON asks, "Have his brother call him or something?" STUART  
10 replies, "Yeah. What do you think? I said, I basically want him tell him, you know, 'I got  
11 this phone number from them, they've been outside your fucking baby's momma's, you  
12 know, um, and I talked him out of just going and grabbing her and saying, you know, trade  
13 you for her type of shit. That's where it's at. This is no joke.' You know?" STUART then  
14 re-states that he is waiting for the private detective to determine if he can "triangulate" the  
15 phone number. This call continues for a while as STUART relays much of the information  
16 and conversation he had with 'the bro', Mondier KHAIRA, in Session #224, which  
17 indicates that the previously unknown male using 206-437-1582 may be in fact, Mondier  
18 KHAIRA.

19 210. On March 4, 2011, over TT-1, Sessions 595, 597, 599, it appears, based on  
20 voice comparisons, that WOLVERTON, using STUART's line, calls the T-Mobile  
21 customer service line. During these calls WOLVERTON tries to convince the different  
22 service representative that he is Varinder KHAIRA and that he has moved.  
23 WOLVERTON asks the representatives to tell him what address is on file for the account  
24 (KHAIRA's account). The representative tells him that the number has been canceled and  
25 she cannot give out the new number. WOLVERTON then hung up and tried to get the  
26 next representative to give the new number.

27 211. Based upon the foregoing, I believe that WOLVERTON has been working  
28 with STUART to coordinate the pick up of drugs and/or money from Varinder KHAIRA's

1 contacts on the East Coast. I further believe that they are in the New York/New Jersey  
 2 area because Varinder KHAIRA has ties to that area and was arrested there as recently as  
 3 December 2010. According to the calls, "Alex" and Varinder's dad also are involved in  
 4 this deal, and Varinder KHAIRA is, in fact, paying part of "his bro's" tab. Previous  
 5 encounters with law enforcement have revealed that Mondier KHAIRA goes by the name  
 6 "Alex." During later calls, WOLVERTON works with STUART to locate Varinder  
 7 KHAIRA to collect a drug debt, including by posing as "V" during calls with his cell  
 8 carrier.

9 212. I also note that a copy of Varinder KHAIRA's credit report was recovered  
 10 during the "sneak and peak" search of **Stuart's Residence**. As a mortgage broker,  
 11 WOLVERTON has access to credit reports, and it is a logical conclusion that  
 12 WOLVERTON secured that report and gave it to STUART.

13 213. In short, there is probable cause to believe that WOLVERTON is a member  
 14 of the conspiracy, and that evidence of the conspiracy can be found at his residence.

15 **H. TREY OLSON's BLACK BMW, AND THE PERSON OF TREY OLSON**

16 214. Trey OLSON is believed to currently reside in Seattle at his father's  
 17 residence, located at 8904 41st Avenue SW, Seattle, WA (West Seattle). Previously,  
 18 OLSON resided at 5645 California Avenue, SW #B, Seattle, WA (West Seattle), which  
 19 was being used as a stash house, according to CIs. The stash house has recently been sold,  
 20 but CI-1 identified this residence as the location where the STUART DTO stored large  
 21 quantities of marijuana. CI-2 also directed investigators to OLSON's residence, and told  
 22 investigators that he/she and STUART both picked up marijuana at that location.

23 215. CI-2 also recognized OLSON from an encounter that took place in March  
 24 2010 in Cleveland, OH. On that occasion, CI-2 was instructed to rent a hotel room, where  
 25 he/she put approximately 40 pounds of marijuana that he/she picked up earlier in another  
 26 city from MURPHY. BARBOUR and OLSON came to the hotel and instructed him/her to  
 27 go downstairs and wait in the bar. BARBOUR and OLSON were supposed to be  
 28 introducing CI-2 to the DTO's contact there in Ohio, but the contact insisted on only



1 meeting with BARBOUR. When CI-2 returned to the hotel room, the marijuana was gone  
2 and there was a suitcase containing over \$400,000 inside, with a note indicating the exact  
3 amount; CI-2 cannot remember the precise figure that was on the note. CI 2 said that  
4 he/she left the suitcase in the hotel room, but was told later that Kenneth ADEE picked it  
5 up later that day.

6 216. On May 18, 2010, surveillance was conducted by DEA Seattle, where  
7 surveillance officers observed STUART and OLSON meeting in the area of 9th Ave and  
8 Harrison St, Seattle, WA. STUART and OLSON were inside OLSON's silver Dodge  
9 truck with Washington License plate A28653T. The meeting lasted approximately 36  
10 minutes. Agents observed STUART exit from the passenger side of OLSON's vehicle and  
11 walk back to his vehicle. STUART and OLSON then departed the area and drove to their  
12 homes. Investigators believe this meeting was regarding drug transactions and possibly  
13 involving a separate DEA Fresno investigation into Jason BARBOUR. Investigators  
14 believe they met inside OLSON's vehicle in order to avoid speaking on the phones, to  
15 evade any law enforcement wire intercept of their conversation.

16 217. OLSON moved to Atlanta, GA, not long after agents observed this meeting  
17 between STUART and OLSON. We believe that OLSON was helping BARBOUR, who  
18 was "hiding out" from DEA Fresno's investigation. However, OLSON's vehicles were  
19 seen parked in STUART's driveway repeatedly, indicating that he was going back and  
20 forth between Seattle and Atlanta.

21 218. On January 13, 2011, at approximately 8:13 p.m., STUART using TT 1  
22 received an incoming call from 404 918 8040 (Session 104), during which two males  
23 (UM8040 and OLSON) speak with STUART. As set forth below, I believe the first  
24 speaker, UM8040, is a customer of the DTO, and that the second person is OLSON.

25 219. During the call, UM8040 tells STUART that he is out with their mutual  
26 friend. STUART said, "Oh he came?" UM8040 then stated, "Yeah, yes. Awful weather,  
27 man, I was surprised." STUART replied, "His phone been dead, so I didn't know  
28 what . . ." Later in the call, UM8040 told STUART, "We haven't been able to do any yet, I



1 mean, it's just like, I still don't even know how to respond to that cause it's just so terrible,  
2 but I have to fly out tomorrow to Buffalo, uh, for a couple of shows I have in Buffalo and  
3 Rochester, but I'll be back on Sunday, and on Monday, I, uh, wanted to try to, uh, just get  
4 with whoever I need to get . . ." STUART replied, "Well, there's, there's things out there  
5 too, some, and, and I think a little bit nicer than some of those Kongs [phonetic], there  
6 might be some like PK's [phonetic] and stuff out in that area too, so . . ." UM8040 and  
7 STUART continue to talk about the unknown male's travel plans, where drug supplies are  
8 located, and STUART tells UM8040 that he will give him five or ten of the new "Kongs."

9 220. Based on my training and experience, I believe these two men are discussing  
10 the distribution of marijuana. "Kong" and "PKs" are likely different strains of marijuana,  
11 and is a term we have repeatedly heard during the wire intercepts. The references to and  
12 complaints about weather difficulties is also a common thread during the intercepts;  
13 because this DTO uses smaller private planes to move much of its product, it is  
14 particularly impacted by bad weather, which can interfere with their ability to fly  
15 controlled substances from one destination to another.

16 221. Later in the call, UM8040 hands the phone to a different male, whom we  
17 believe is OLSON. During the call, they initially talk about Christmas and gifts for their  
18 kids. Later, OLSON tells STUART, "But hey, hey, this is looking really, really nice,  
19 really good." STUART replied, "Nice." OLSON then said, "Yeah, I mean, like what I  
20 just saw, you know, the kongs, the king kongs." STUART affirmed. Later, OLSON said,  
21 "That is perfect. And I have got somebody else lined up." STUART replied, "I will send  
22 a batch out there. I will send an old batch out there. I am going to snake some off those  
23 guys." OLSON then said, "That is what I'm saying. I want him to have at least like  
24 fucking fifty on hand to work with, you, know?" STUART then said, "Okay, well just  
25 make sure when you . . ."

26 222. Again, based on my training and experience and the investigation as a  
27 whole, I believe STUART and OLSON are continuing to discuss marijuana quality and  
28 quantities. "Fifty" here is probably a reference to fifty pounds.

223. STUART's and OLSON's voices overlap, and OLSON said, "But it is like I do not want, I don't even want him dealing with them fucking clowns." STUART replied, "Oh that is no problem." OLSON said, "You know, I mean, what do I need to do? You want me to come out here every time? I will do that, you know. If that is how it has to be, I will do that. I will come out here, I will collect it, you know, I will be able to." STUART replied, "I am gonna have those guys give them like . . ." OLSON interrupts, "I will meet, I will meet OG." STUART continues, "Ten, I am gonna have those guys give like ten. I do not know when he is gonna be back out there. He has got like some problems right now, but . . ."

224. Again, the two men are continuing to discuss the distribution of marijuana to a customer, with "ten" likely a reference to ten pounds. "OG" is a code name or nickname for MURPHY, one of the pilots, and OLSON is offering to act as the intermediary between MURPHY and these customers.

225. Later in the call, OLSON said, "And that is exactly, that is exactly how I see fucking KT, you know, is a fucking snitch . . .[H]e's fucking stolen from me, he, you know, he's stolen from fucking 'G,' I mean he has stolen from everybody dude." Again STUART affirmed. OLSON continued, "And you know 'G' is the only one that fucking backs him up." STUART then said, "We will talk. We will still . . . when are you coming home?" OLSON replied, "I am coming home tomorrow."

226. This part of the call corroborates our belief that OLSON is working with BARBOUR in the Atlanta, Georgia area to distribute marijuana. "G" is a known nickname for BARBOUR, and we believe that "K.T." refers to Kai TYLER, one of BARBOUR's customers in that area. TYLER was supplied by Michael MURPHY on December 6, 2010

227. Later in the call OLSON said, "He has got somebody in Windy's [code for Chicago, Illinois] too that fucking we wanna to set up." STUART mentions he has someone in "Windy's" too.

228. To recap, based on my training and experience and from this investigation, I

1 believe that UM8040 and OLSON were both in Atlanta, GA, when speaking to STUART  
2 during this call. We believe OLSON is assisting Jacob STUART with distributing  
3 marijuana in Atlanta, GA.

4 229. SA Jack Wilson subsequently confirmed that OLSON flew back home from  
5 Atlanta, GA, to Seattle, WA, on January 15, 2011. Also, surveillance has observed  
6 **OLSON's BMW**, registered to Trey OLSON at 5645 California Avenue SW #B, Seattle,  
7 WA at his parent's house in West Seattle on two occasions since January 20, 2011.

8 230. On January 16, 2011, Session No. 147, OLSON, using telephone number  
9 206 518 2789, tells STUART that he has returned to Washington and that he has some  
10 orders for him. He tells STUART that he is in Southern Washington at a Best Western  
11 hotel. The following day, during Session No. 166, STUART calls OLSON asking if they  
12 can meet up. OLSON reminds STUART that he is out of town and tells him they will  
13 meet on Tuesday.

14 231. SA Jack Wilson confirmed that OLSON did stay at a Best Western located  
15 in Washougal, WA. This city is located in southern Washington just across the border  
16 from Portland, OR. When OLSON refers to "orders," I believe this to be for orders for  
17 marijuana.

18 232. Surveillance officers have more recently observed OLSON and his vehicles  
19 at Mike's Auto Body, located at 9255 16th Avenue SW, White Center, WA.

20 a. On January 24, 2011, at approximately 12:15 p.m., TFO Brad Turi  
21 observed **OLSON's BMW** with Washington license ACE4066 parked at the business after  
22 it departed from his father's residence, located at 8904 41st Avenue SW, Seattle, WA.

23 b. On January 28, 2011, at approximately 3:15 p.m., TFO Turi observed  
24 OLSON's silver Dodge truck with Washington license A28653T parked at the business  
25 and also observed OLSON painting the building on the west side of the parking lot.

26 c. On January 31, 2011, at approximately 9:45 a.m., TFO Turi observed  
27 **OLSON's BMW** parked on the south side of Mike's Auto Body while OLSON was  
28 working on the west side of the building. At approximately 11:24 a.m., TFO Turi

1 observed as **STUART's GMC Yukon** arrived and pulled into the parking lot. OLSON  
2 entered the passenger seat and the GMC Yukon and departed northbound on Delridge Way  
3 SW. At approximately 11:54 a.m., the GMC Yukon returned to Mike's Auto Body, TFO  
4 Turi observed as STUART exited the driver's seat and walked around the parking lot with  
5 his young son and OLSON prior to departing the business in the GMC Yukon at  
6 approximately 12:01 p.m.

7 233. Based on the foregoing, I respectfully submit there is probable cause to  
8 believe that OLSON is conspiring to, and actively engaged in, trafficking in marijuana and  
9 potentially other controlled substances. I also respectfully submit that there is probable  
10 cause to believe that evidence of those offenses, as described in Attachment B, can be  
11 found in **Olson's BMW**, as described in Attachment A.

12 **I. STASH WAREHOUSE, 1621 Central Ave S #40, Kent, WA**

13 234. The investigation to date shows that this warehouse unit is likely a stash  
14 location for marijuana smuggled over the border from Canada. Marijuana is stored there  
15 until it is picked up by LAMAR for distribution to other members of the DTO.

16 235. On February 23, 2011, TT3, Session 220, LAMAR, using 253-293-4947,  
17 tells STUART, "Hey, I got the call for that new one." STUART says, "Oh, shit. They  
18 want you to do that right now?" LAMAR says, "Yeah, they want me to go up and do that  
19 in about ten minutes." The call continues, and both men discuss the PKs and the new  
20 Wicked and Sours (again, strains of marijuana )they have. Later the call ends.

21 236. Shortly thereafter, agents set up surveillance of LAMAR, who left his  
22 apartment complex driving **Lamar's Truck**. LAMAR drove to a restaurant in Kent, WA  
23 and turned the truck over to an individual later identified as Joshua BENNETT (hereafter  
24 BENNETT).

25 237. BENNETT drove **LAMAR's truck** to Plemmons Industrial Park and into a  
26 warehouse located at 1621 Central Avenue South #40, Kent, WA (the **Stash Warehouse**),  
27 backed the truck into unit #40 and closed the door.

28 238. A few minutes later, BENNETT drove back out and returned **Lamar's**

1 truck to LAMAR. LAMAR returned home to **Lamar's Apartment** and parked the truck  
2 in the area of his garage, unit #62.

3 239. A short time later, LAMAR returned to Kent and the process was repeated a  
4 second time. The second time, agents observed BENNETT and another male,  
5 subsequently identified as Brent WORSTER, depart from the warehouse in LAMAR's  
6 vehicle where they returned LAMAR's truck back to him.

7 240. Agents believe that BENNETT or another member of the DTO contacted  
8 LAMAR earlier to arrange the pick-up of a new shipment of drugs and BENNETT loaded  
9 **LAMAR's truck** with marijuana at the warehouse, unit #40, twice, which LAMAR then  
10 unloaded into his garage, unit #62.

11 241. After the surveillance operations, later in the day on February 23, 2011, TT3,  
12 Session #227, LAMAR tells STUART, "Got a lot of work to do." STUART laughs.  
13 LAMAR is likely referring to the marijuana he has just received in addition to the other  
14 tasks set by STUART.

15 242. STUART later asks LAMAR "How's it going?" LAMAR tells him, "I'm just  
16 breaking those six down right now. It's taking me forever." STUART asks LAMAR, "Did  
17 you call those guys, the guys you gave the four to? And let them know you were going?"  
18 LAMAR says, "No, I haven't. He needs them today? What time?" STUART confirms,  
19 "Yeah, we're trying to get that because we're trying to open today." STUART later asks,  
20 "Are you making them look pretty?" LAMAR tells him, "Yeah, I'm breaking them all  
21 down. The Wicked ones are supposed to be the bomb; it's got a lot of leaves on it. I'm  
22 weighing them a little bit over cause it looks like there's going to be, like, shake in the bag,  
23 like one or two grams of it, cause it's dry and it's got a lot of leaves, but if you squish it  
24 your fingers get sticky. It's good, but there's something weird about it. A lot of leaves."  
25 STUART and LAMAR go on to discuss the price and the fact that LAMAR thinks he is  
26 short on some.

27 243. During previous calls, STUART has told LAMAR to deliver some nice  
28 packages of supposed marijuana to the "store" and his business partner. The investigation

1 has shown that STUART is involved with GroGro Hydro, a hydroponic and indoor garden  
2 supply shop, which is located in Kirkland, WA. Agents believe STUART will be selling  
3 some of the finer examples of his marijuana from this location. During this call they are  
4 discussing LAMAR's packaging and preparations of the "retail" sales marijuana.

5 244. On March 9, 2011, SA McIntosh reviewed video recordings of the front  
6 exterior of Unit #40 at the warehouse complex located at 1621 Central Avenue South,  
7 Kent, WA, for March 8, 2011 and March 9, 2011, as well as tolls for a cellular telephone  
8 believed to be held by BENNETT, or one of his associates, with telephone number  
9 425-231-5506. SA McIntosh also reviewed the electronic surveillance records (GPS  
10 tracker) of LAMAR's truck. The following observations were made by SA McIntosh  
11 except where specifically noted that surveillance agents made the observation.

12 245. On March 8, 2011, at approximately 1:58 am, 425-231-5506 made an  
13 outgoing call to a number in Canada, 778-982-2018.

14 a. At approximately 5:48 p.m., 425-231-5506 received an incoming call  
15 from 778-982-2018.

16 b. At approximately 7:19 p.m., BENNETT's white Toyota Tundra  
17 arrived at the **Stash Warehouse** and entered unit #40 through the garage door.

18 c. At approximately 8:28 p.m., the garage door opened and the white  
19 Toyota Tundra pulled out and departed the warehouse facility.

20 d. At approximately 8:37 p.m., the white Toyota Tundra returned and  
21 parked near unit #40 but out of view of the video camera angle. A short time later, a  
22 person walked from the area where the truck was parked and entered unit #40 through the  
23 front entrance door.

24 e. At approximately 11:42 p.m., a tractor trailer arrived at the **stash**  
25 **warehouse**. The garage door to unit #40 opened, and the tractor trailer backed into the  
26 unit.

27 f. At approximately 11:53 p.m., 425-231-5506 made an outgoing call to  
28 778-982-2018.



1 g. On March 9, 2011, at approximately 1:08 a.m., the garage door to unit  
2 #40 opened, the tractor trailer pulled out and departed from the warehouse facility, and the  
3 garage door closed.

4 h. A short time later, the garage door opened again and a person walked  
5 out of the unit towards where the white Toyota Tundra was parked earlier and the garage  
6 door closed again.

7 246. Based on the entirety of the investigation, including information supplied by  
8 the CIs, and subsequent surveillance observations, we believe that this tractor-trailer  
9 delivered Canadian marijuana to the **stash warehouse**. As set forth below, this suspected  
10 marijuana was subsequently delivered to LAMAR.

11 247. On March 9, 2011, at approximately 10:36 am, 425-231-5506 made an  
12 outgoing call to 778-982-2018. At approximately 11:39 am, 425-231-5506 made an  
13 outgoing call to LAMAR's cellular telephone with telephone number 253-293-4947,  
14 hereinafter referred to as LAMAR's phone.

15 a. At approximately 11:54 am, 425-231-5506 received an incoming call  
16 from LAMAR's phone. At approximately 12:40 p.m., based on electronic surveillance  
17 records, **LAMAR's Truck** departed from **Lamar's apartment** complex and traveled  
18 north on Highway 167.

19 b. At approximately 12:54 p.m., the garage door to unit #40 opened and  
20 the white Toyota Tundra was backed out of the unit.

21 c. At approximately 12:57 p.m., **Lamar's Truck** arrived at the Denny's  
22 restaurant parking lot, located at 1246 North Central Avenue, Kent, WA. At  
23 approximately 1:02 p.m., the truck departed from the Denny's and traveled south on  
24 Central Avenue towards the **stash warehouse** facility.

25 d. At approximately 1:12 p.m., the garage door for unit #40 opened and  
26 **LAMAR's truck** was backed into the unit with the garage door being left open.

27 e. At approximately 1:16 p.m., **Lamar's Truck** was driven out of the  
28 unit, departed the warehouse facility, and arrived back at the Denny's at approximately

1 1:22 p.m. A short time later, **LAMAR's truck** departed from the Denny's and traveled  
2 south on Highway 167.

3 f. At approximately 1:29 p.m., BENNETT's white Toyota Tundra  
4 returned to the **stash warehouse** facility and parked in front of unit #40, the driver got out  
5 and entered unit #40 wearing a dark colored hooded sweatshirt and a baseball cap. Later  
6 in the day, the driver of the white Toyota Tundra was identified as BENNETT by SA  
7 Phillips.

8 g. At approximately 1:42 p.m., **Lamar's Truck** arrived at **Lamar's**  
9 **Apartment** complex and parked near his garage, unit #62.

10 248. Based on the foregoing, although surveillance agents were not present to  
11 verify the driver of **Lamar's Truck**, I believe that LAMAR drove his truck from his  
12 apartment to the Denny's restaurant where he turned it over to BENNETT, who then drove  
13 it to the warehouse unit #40, loaded it with marijuana and returned it to LAMAR at the  
14 Denny's. LAMAR then drove the truck to his apartment complex and stored the marijuana  
15 in his garage, unit #62 as occurred during the surveillance on February 23, 2011.

16 249. At approximately 1:56 p.m., **LAMAR's truck** departed from his apartment  
17 complex a second time and traveled north on Highway 167.

18 a. At approximately 2:13 p.m., BENNETT was observed walking out of  
19 the front entrance door to the **stash warehouse**, unit #40, entered his white Toyota Tundra  
20 and departed from the warehouse facility.

21 b. A short time later, **LAMAR's truck** arrived again at the Denny's  
22 restaurant. At approximately 2:20 p.m., LAMAR's truck departed the Denny's parking lot,  
23 while HSI SA Mike Gallegly observed LAMAR standing in the parking lot.

24 c. SA Phillips followed **LAMAR's truck** south on Central Avenue and  
25 observed as it was backed into the **stash warehouse**, unit #40 at approximately 2:28 p.m.

26 d. At approximately 2:31 p.m., SA Phillips observed as **LAMAR's**  
27 **truck** was driven out of unit #40, departed the warehouse facility, and traveled north on  
28 Central Avenue back towards the Denny's. SA Phillips was able to confirm that

BENNETT was the driver of **LAMAR's truck** from the warehouse facility back to the Denny's parking lot, and the truck arrived in the parking lot at approximately 2:39 p.m.

e. At approximately 2:41 p.m., SA Gallegly observed as LAMAR departed from the Denny's parking lot in **Lamar's Truck** north on Central Avenue, and BENNETT departed from the parking lot in his white Toyota Tundra south on Central Avenue. LAMAR's truck then traveled south on Highway 167.

f. At approximately 2:51 p.m., the garage door to the **stash warehouse** unit #40 opened and BENNETT backed his white Toyota Tundra into the garage. At approximately 3:06 p.m., HSI SA Ken Dahlstrom observed as the garage door opened and the white Toyota Tundra was driven out of the garage and parked in front of the unit with the driver remaining in the vehicle. A short time later, SA Dahlstrom observed as a shorter white male with a dark colored sweatshirt and baseball cap exited the front door entrance to unit #40 and got into the passenger seat of the white Toyota Tundra before it departed from the warehouse facility. SA Dahlstrom was able to confirm that the passenger was the same white male that was observed with BENNETT at the warehouse unit during the surveillance on February 23, 2011 when this same marijuana transaction occurred. SA Phillips was later shown a Washington Driver's License photo of the white male passenger and positively identified him as Brent WORSTER (hereinafter WORSTER). Surveillance agents followed BENNETT and WORSTER in the white Toyota Tundra as they took a very indirect route to I-5, while bypassing Highway 167. Surveillance agents continued to follow BENNETT and WORSTER as they traveled north on I-5 until surveillance was terminated at approximately 3:55 p.m.

g. At approximately 3:10 p.m., **LAMAR's truck** arrived at his apartment complex and parked near his garage, unit #62, where he presumably unloaded marijuana he had picked up from BENNETT and possibly WORSTER.

**K. SUSPECTED GROW OR STASH LOCATION, 2512 162 DR SE,  
SNOHOMISH, WA.**

250. The investigation has recently linked BENNETT to a possible grow or stash

1 location at 2512 162 Drive SE in Snohomish, Washington.

2 251. During the intercepted calls, STUART and his confederates discuss moving  
3 several different strains of marijuana, using names like "SDs" "Kongs," "Exotics," and the  
4 like. I believe it is likely that some of these strains are smuggled over the border from  
5 Canada, and some are grown here in Western Washington.

6 252. In April 2010, Det. Nicole Richardson of the Snohomish Regional Drug  
7 Task Force received a tip from Snohomish County Sheriff's Deputy Z. Devenney. Deputy  
8 Devenney received information from a source ("Snohomish Source") that Burdick was a  
9 large marijuana grower/distributor in Snohomish County. The Snohomish Source also  
10 stated that Burdick grew out of warehouse type facilities and had numerous cars, houses  
11 and always had plenty of cash on him. The Snohomish Source provided an address and  
12 phone number for Burdick, 17531 51 AVE SE, Bothell and 425-314-1850. Deputy  
13 Devenney was aware of this residence and believed it was a quite large house in a remote  
14 part of Snohomish County.

15 253. Detective Richardson later ran a criminal history check on Burdick, which  
16 showed that he has two felony VUCSA convictions involving marijuana. Washington  
17 Employment Security Department showed that Burdick had no reported employment  
18 between January 2004 to December 2010. Department of Revenue records shows that  
19 Burdick owned a business but that it was closed in 2007.

20 254. Detective Richardson looked into the address Deputy Devenney originally  
21 provided, 17531 51 AVE SE, Bothell. Per the Snohomish County Assessors records, the  
22 house on 51st was never owned by Burdick and it appears that Burdick was living in it as a  
23 rental at the time of the original tip in 2010. A PUD records check showed that between  
24 January 2010 and August 2010 Andrea Poitras was the subscriber to this utility account.  
25 The power consumption at this residence during Poitras' tenure was between 3,600 and  
26 9,700 KWH (per 2 month billing cycle). In comparison to the tenant before Poitras and  
27 afterwards, the tenant in April 2009 had a bill of 846 KWH and the tenant in March-2011  
28 had a bill of 3,192 KWH. Poitras' bill for April 2010 was 9,700 KWH.

1        255. Det. Richardson also located a residence in Snohomish County that is  
2 currently owned by Burdick, 2512 162 DR SE, Snohomish, WA (hereafter, the suspected  
3 **grow location**).

4        256. Det. Townsend looked into the financial aspects of this property purchase.  
5 Burdick purchased this residence in October 2006 for \$540,000, making a \$57,866 down  
6 payment and financing the remaining \$486,000 of the purchase price. The down payment  
7 came in the form of a personal check drawn on Burdick's Boeing Employees Credit Union  
8 (BECU) account ending in 6499 for \$5400 in earnest money. The second amount of  
9 \$52,466 was in the form of a cashier's check from BECU from Burdick. Burdick's loan  
10 application states he is self employed by S&B Motorsports. He lists that he has \$60,000 in  
11 a BECU account and no debts. In the mortgage documents, Burdick signs an Income  
12 Certification stating that his monthly income is \$9033. This Income Certification stated  
13 that he was "not required to provide full, detailed documentation and proof of your  
14 monthly income. Instead we base our underwriting on your representation to us as to your  
15 gross monthly income". Burdick also signed an Occupancy Affidavit, stating that he  
16 would occupy this location or risk legal action for misrepresentation and acceleration of  
17 the loan repayment. Again, according to the investigation to date, Burdick has no reported  
18 source of income.

19        257. When Det. Richardson drove by this house, which is located on one acre on  
20 a dead end road, she noted there was a large outbuilding behind the house. In the  
21 driveway, one vehicle was parked, WA Lic. 294ZWK. This vehicle came back registered  
22 to Bryan Hieronymus. Vehicles belonging to BENNETT and Poitras have also been seen  
23 on surveillance at this house.

24        258. A criminal history check on Bryan Hieronymus shows he has eight felony  
25 convictions for VUCSA involving marijuana in 2004 and attempted money laundering.  
26 Hieronymus also shows no employment wages reported to Employment Security for the  
27 time frame of 2007-2010.

28        259. Snohomish County Public Utilities (PUD) showed the power records for

Burdick's house at 2512 162 SR SE, Snohomish have changed names during Burdick's ownership. From October 20, 2006 to October 9, 2001, the subscriber was Jennifer Fowlds. The usage on the property appears to be at a fairly typical rate from April 2009 to October 2009 ranging from 2,150-3,300 KWH (per 2 month billing cycle).

260. On October 9, 2009, Bryan Hieronymus became the new power subscriber. While in his name, the majority of the payments have been made in cash. In December 2009 there is a spike in power usage that continues to the present at ranges from 5,800-12,500 KWH (per 2 month billing cycle). The following is a graph showing power usage.

Date	kWh Usage	Date	kWh Usage
4/10/2009	3342	4/13/2010	5882
6/10/2010	2499	6/11/2010	10083
8/11/2009	2239	8/11/2010	6336
10/9/2009	2157	10/11/2010	10986
12/11/2009	10152	12/13/2010	12527
2/11/2010	10981	2/10/2011	11288

261. From when Det. Richardson started doing regular drive-bys of this location in March 2011 until present date, there has been a burgundy colored Jaguar parked in the driveway at this house. This vehicle is registered to Hieronymus. On March 11, 2011, the power subscriber at this residence changed from Hieronymus back to Jennifer Fowlds name. Only one month has lapsed in Snohomish County PUD's normal 2-month billing cycle since Fowlds took back over as the subscriber. The power consumption at this location is still high. When Jennifer Fowlds was the subscriber prior to Hieronymus, her power consumption was also much lower than it is now. Fowlds two month billing cycle consumption in 2009 was nearly equivalent to what her consumption was between March 11, 2011 and April 12, 2011. The following is a graph showing power usage:

Date	kWh Usage	Length of billing period
04/12/11	2982	*** for One month only



1 **PREVIOUSLY**

2 04/10/09 3342 Two months

3 06/10/09 2499 Two months

4 08/11/09 2239 Two months

5 10/09/09 2157 Two months

6 262. PUD subscriber records on Fowlds account shows she has used "Jacob  
 7 Burdick" with the phone number "425-314-1850" as a reference. Based on local on police  
 8 records, Fowlds is believed to have once been in a dating relationship with Burdick.

9 263. Det. Richardson knows through training and experience that marijuana  
 10 grown indoors requires grow lights, ballasts, fans, and exhaust fans that all require  
 11 electricity to operate. Det. Richardson know that marijuana growers use 500 or 1000 watt  
 12 halide and/or high pressure sodium bulbs in their grows to imitate the natural sunlight on  
 13 the plants and grow shields to reflect the light better onto the plants. Det. Richardson  
 14 knows that the lights are on the plants in cycles to imitate the natural sun and are on 12-18  
 15 hours a day. Through training Det. Richardson knows that a 1000 watt bulb that is on 12  
 16 hours a day for 30 days will use 360 KWH.

17 264. Snohomish County Auditors records shows that Burdick also owns a condo  
 18 located at 10901 84 ST NE #1, Lake Stevens, WA. On a closer examination, this condo  
 19 appears to be a storage unit within a private facility. Burdick purchased this unit in August  
 20 2006 for \$35,000, financing \$31,500 of the purchase price. Burdick is also current on this  
 21 loan.

22 265. While Det. Richardson looked at Burdick's criminal activities, Det.  
 23 Townsend looked further into Burdick's financial transactions. In August 2007, an IRS  
 24 form 8300 was completed on Burdick. This document is completed by a "financial  
 25 institution" when a payment of more than \$10,000 in cash is made. This document shows  
 26 that Burdick made a cash payment of \$24,480 to attorney Bob Leen for the defense of  
 27 Corey Wirsz. A records check of the federal case against Wirsz shows that he was  
 28 convicted of Conspiracy to Distribute Marijuana and sentenced to 78 months in July 2008.

1        266. Investigation shows that Burdick has accounts with Boeing Employees  
2 Credit Union. A review of the documents available show that Burdick made consistent  
3 cash deposits into his account during the same time period when he has no discernible  
4 source of income. In one two month span from December 2008 to February 2009, Burdick  
5 made 23 cash deposits totaling \$30,860. In a second two month time span from April  
6 2009 to June 2009, Burdick makes 8 cash deposits for a total of \$25,803. In a 30 day  
7 period in June 2009, Burdick makes 10 cash deposits totaling \$26,870. In a two month  
8 span from October 2009 to December 2009, Burdick made 14 deposits totaling \$42,580.  
9 One particular transaction should be noted, on 12-7-09, Burdick deposits \$13,500 (mostly  
10 \$20 bills). He then turns around and immediately withdraws \$10,000 in large bills. In the  
11 last two month span from February 2010 to April 2010, Burdick makes 9 cash deposits for  
12 a total of \$27,400. Just for the examples given, which covers only 9 months of banking  
13 activity, Burdick deposits \$153,513 in cash.

14        267. In late February 2011, DEA Special Agent J. Wilson requested assistance  
15 from SRDGTF Det. Richardson regarding the STUART DTO. Agent Wilson advised that  
16 a vehicle belonging to Andrea Poitras (Burdick's girlfriend) has been seen on surveillance  
17 showing up at locations of interest in the Stuart case showing a connection between  
18 STUART and Burdick. In addition, DEA has obtained phone tolls on STUART and some  
19 of his confirmed co-conspirators. Based on information gained through his investigation,  
20 Special Agent Wilson believes that BENNETT is the middle man/facilitator between  
21 partners, Burdick and Hieronymus, as one local source of supply for marijuana to  
22 STUART.

23        268. In March 2011, surveillance followed one of BENNETT's vehicle to  
24 Burdick's residence at the **suspected grow house**, 2512 162 DR SE, Snohomish.

25        269. On March 23, 2011 investigators followed BENNETT from a house off of  
26 Dubuque Rd to ECO Enterprises. Det. Richardson know from training and experience that  
27 during the service of search warrants, the vast majority of marijuana growing operations  
28 have receipts from ECO Enterprises for the equipment used in the growing operation.

1 ECO Enterprises is a business that markets and sells growing supplies, to include soil,  
2 fertilizer, lights, ballasts, grow shields, etc.

3 270. Surveillance has been conducted on Burdick and the **suspected grow house**  
4 for the past two months. It is still undetermined where he stays at night. Based on recent  
5 surveillance, Burdick has been observed driving a black Toyota 4Runner registered to  
6 Andrea Poitras (previously reported as Burdick's girlfriend).

7 271. On March 14, 2011, at approximately 3:04 p.m., SA Phillips and SA Nick  
8 Bryson with DEA Seattle located BENNETT's white GMC Savana van parked at the  
9 **suspected grow house**. SA Phillips noted that the residence had a large outbuilding on  
10 the property. At approximately 3:15 p.m., SA Bryson observed as the white GMC Savana  
11 van departed from the residence followed by a black Toyota 4-Runner with Washington  
12 license plate 261WVD, registered to Andrea R. Poitras at 19631 131st Place NE, Granite  
13 Falls, WA. Both vehicles traveled in tandem through several miles of country roads  
14 before arriving at the duplex residence located at 11730 51st Avenue NE, Unit B,  
15 Marysville, WA. GS Hudon observed as the black Toyota 4-Runner parked next to a  
16 white Dodge Dakota that was already parked in front of Unit B. Two white males exited  
17 the Toyota 4-Runner and entered Unit B. GS Hudon noted that the white GMC Savana  
18 van parked in front of the detached shop unit, which is located directly to the south of the  
19 duplex residence.

20 272. At approximately 3:53 p.m., SA Phillips observed as BENNETT arrived at  
21 the residence driving a 1991 Honda Accord with Washington license plate 356XQT,  
22 registered to Josh S. BENNETT at 3707 Robe Menzel Road, Granite Falls, WA. TFO  
23 Swanson observed BENNETT produce a key to open the front entrance door to the  
24 warehouse unit and enter the unit. A short time later, SA Phillips observed as BENNETT  
25 exited from the detached shop, walked to Unit B of the duplex residence, and entered  
26 through the front door.

27 273. At approximately 4:07 p.m., SA Phillips observed as two white males exited  
28 from the garage door attached to Unit B and entered the Toyota 4-Runner. GS Hudon

1 | drove by the duplex residence and identified one of the white males as Jacob BURDICK  
2 | from an arrest photograph supplied by Snohomish County Detective Nicole Richardson.  
3 | Surveillance was terminated at approximately 5:00 p.m.

4 |       274. On April 11, 2011, surveillance was conducted by the SRDTF at **Worster's**  
5 | **Residence**, 11730 51 AVE NE, #B, Marysville, WA. At about 1000 hours, no vehicles  
6 | were at the location. At about 1030 hours, a white truck arrived at the location. This  
7 | vehicle is known to be associated with unit #B. A short time later, a black Toyota  
8 | 4Runner arrived. Det. Rucker was able to confirm the license plate was, WA Lic.  
9 | #261WVD. At about 10:39 a.m., this vehicle left. Surveillance units followed this  
10 | vehicle. It was occupied by one male. At about 10:56 a.m., it stopped and parked in the  
11 | Frontier Village area of Lake Stevens, WA. It parked near the Safeway store and the  
12 | tanning salon; Bahama Sun. Det. Townsend observed the male driver exit the vehicle and  
13 | go inside Bahama Sun. Det. Townsend said the physicals of the male were similar to that  
14 | of Jacob Burdick. Also, she said he had a shaved head and was wearing a black colored  
15 | hoodie.

16 |       275. At about 11:24 a.m., the male who had been in Bahama Sun exited and  
17 | returned to the 4-Runner. He was followed to the fuel pumps and was there until about  
18 | 1130 hours. When he left the pumps, his vehicle was followed to the area of Burdick's  
19 | house on 162 DR SE. At about 11:45 a.m., Det. Richardson drove by the **suspected grow**  
20 | **house** and observed the 4-Runner parked behind the house (between the house and barn).  
21 | Also at the location were BENNETT's white GMC van (behind the house) and Bryan  
22 | Hieronymus' Jaguar was in the driveway in front of the house. Surveillance remained in  
23 | the area until about 12:45 p.m. When there was no change, surveillance was terminated.

24 |       276. On April 7, 2011, SA Wilson advised that BENNETT's Toyota Tundra  
25 | pickup truck, which had been in California for several days, was northbound through  
26 | Oregon. Estimating his driving time to Marysville, Det. Richardson had surveillance in  
27 | position at BENNETT's house on 86 DR NE in Marysville and watching the 51 AVE NE  
28 | duplex/ shop in Marysville. The truck was not seen at either location. At about 11:55

1 a.m., Det. Richardson drove by the **suspected grow house**. BENNETT's truck was at this  
2 location. Based on timing, it was assumed this was the first place BENNETT had gone  
3 upon arriving back in Snohomish County. Surveillance was put onto this location and at  
4 about 12:22 p.m., BENNETT's truck left the residence.

5 277. On April 13, 2011, surveillance was conducted. At about 12:00 p.m., Det.  
6 Richardson drove by the **suspected grow house**. At this location were Hieronymus'  
7 Jaguar, BENNETT's white van, and the Toyota 4Runner driven by Burdick (registered to  
8 Andrea Poitras). Surveillance units were moved to this location. At about 12:28 p.m., the  
9 4 Runner left the location. It was followed to the Machias store located at OK Mill Road  
10 and Machias Rd. A short time later, Det. Richardson observed what appeared to be  
11 BENNETT's vehicle in the same area. Within minutes, Burdick's 4-runner was observed  
12 heading back towards the **suspected grow house** and was later seen at that location.

13 278. On April 19, 2011, surveillance was conducted by the SRDTF on  
14 BENNETT and Burdick. SA Wilson advised that, based on intercepted phone  
15 conversations between STUART and LAMAR, LAMAR would be going north to pick up  
16 some marijuana. It was believed that BENNETT and Burdick may be the source of this  
17 marijuana, based on past surveillance.

18 a. At about 2:47 p.m., BENNETT's white GMC van and Burdick's black  
19 4Runner left the driveway at the **suspected grow house**.

20 b. At about 3:38 p.m., BENNETT's GMC van, and a vehicle repeatedly  
21 known to be driven by Jacob Burdick, a black Toyota 4Runner, WA Lic. #261WVD,  
22 arrived at **Worster's Residence**, at 11730 51 AVE NE, Marysville. Both vehicles parked  
23 in front of the detached shop. The driver of the van appeared to be wearing a dark shirt  
24 and pants and a white colored baseball type hat. The driver of the 4 Runner had a shaved  
25 head, and resembled Burdick. The van was pulled up adjacent to the second most northern  
26 most bay door and the Toyota 4Runner backed up to another bay door just to the south of  
27 it.

28 c. At about 3:48 p.m., Det. Richardson observed an unknown male place



1 an item in the driver's side backseat of the 4Runner. She was not able to determine what  
2 the item was nor could identify the male. At about 3:54 p.m., a dark colored passenger  
3 vehicle arrived and parked near the shop, WA Lic. #356XQT. This Honda Accord  
4 belongs to Joshua BENNETT. An unknown male exited this vehicle wearing dark pants, a  
5 burgundy sweatshirt and a black baseball type hat.

6 d. At about 3:55 p.m., BENNETT's van was pulled into a bay of the  
7 shop and all the shop doors closed. At about this same time, SA Wilson advised Det.  
8 Richardson that phone calls between STUART and LAMAR continued and they were still  
9 waiting for LAMAR to meet to get the marijuana. A short while later, an unknown male  
10 walked to BENNETT's Honda and accessed the driver's side then returned to the shop  
11 within seconds.

12 e. At about 4:07 p.m., SA Wilson advised that a phone call between  
13 STUART and LAMAR indicated that LAMAR was going to have to go further north, but  
14 that the deal would be taking place about 7:30 p.m.

15 f. At about 1626 all three males exited the shop area. One returned to  
16 BENNETT's Honda and left. The other two went to the 4Runner. Detectives followed  
17 BENNETT's Honda as it left southbound. As the Honda passed through residential  
18 neighborhoods, the vehicle was lost momentarily. SRDTF Det. M. Spellman later located  
19 the HONDA at **BENNETT's residence**, 7914 86 DR NE, Marysville. Det. Spellman  
20 advised that BENNETT's white Toyota Tundra was also at the location. Shortly thereafter,  
21 Burdick's 4Runner, occupied by two unknown males, also left the 51 AVE NE duplex.  
22 The vehicle was towing a utility trailer that had a lawnmower in it. This vehicle was not  
23 followed. It was later seen via video surveillance at about 4:36 p.m. when the passenger  
24 exited. It is uncertain if when the 4Runner left again how many occupants it contained.

25 g. At about 5:59 p.m., surveillance showed that Burdick's 4Runner with  
26 utility trailer in tow arrived at the **suspected grow house**.

27 h. At about 7:05 p.m., DEA surveillance units, who had been following  
28 LAMAR, advised they were northbound I-5 from Marysville. A short time later, they



1 advised they had followed LAMAR off the 88 ST Marysville exit and he had pulled into  
2 the Haggen's shopping complex at 3719 88 ST NE, near a physical therapy office.

3 i. At about 7:07 p.m., BENNETT's Toyota Tundra arrived at **Worster's**  
4 **Residence**, 11730 51 AVE NE. It parked in front of a bay door to the garage. The bay  
5 door was opened and the Toyota was backed partially inside. At about 7:13 p.m. the  
6 Toyota exited the shop and left southbound. It was occupied by one person wearing a  
7 black sweatshirt, dark pants and a black colored baseball type hat. SRDTF detectives  
8 followed this vehicle to the same Haggen's shopping complex LAMAR was at. DEA  
9 Agents kept surveillance on both LAMAR and BENNETT's vehicles.

10 j. At about 7:19 p.m., DEA agents saw the vehicles were making  
11 contact behind the Starbucks. At about 2 minutes later, they then advised that the drivers  
12 swapped vehicles and **LAMAR's truck** was leaving. Ultimately, **LAMAR's truck**  
13 arrived at **Worster's Residence**, 11730 51 AVE NE duplex at about 7:27 p.m. A bay door  
14 on the detached shop was opened and agents were able to see LAMAR's truck inside.

15 k. At about 7:33 p.m., LAMAR's truck left the shop and returned to  
16 Haggen's shopping complex where it re-met with LAMAR at about 7:38 p.m. The drivers  
17 swapped back to their respective vehicles and DEA keep surveillance in the lot. Both  
18 vehicles left. It was later confirmed by intercepted calls that LAMAR had picked up the  
19 previously arranged marijuana.

20 279. On April 20, 2011 surveillance was conducted on the **suspected grow**  
21 **house**. At about 9:00 a.m., Hieronymus' Jaguar and the 4-Runner commonly driven by  
22 Burdick was parked in the driveway. Parked behind the house was a white Dodge pickup  
23 truck. At about 10:34 p.m., a white crew cab Ford pickup truck arrived.

24 a. At about 12:32 p.m. the Toyota 4Runner left the residence and at  
25 about 12:33 p.m., the white Ford truck left. The white Ford truck was occupied by at least  
26 two males. Later, Det. Richardson requested Snohomish County Sheriff's Office Deputy/  
27 Detective Gibson to conduct a traffic stop on the vehicle and identify the occupants. At  
28 about 2:00 p.m., Det. Gibson conducted the traffic stop. The driver and front seat

1 passenger identified themselves as Jason L. Weldon and Brent O. Worster, respectively.<sup>5</sup>  
2 The back seat passenger refused to identify himself, but was later identified as Burdick,  
3 based on a Snohomish County Jail booking picture. After the traffic stop, the truck with  
4 the three occupants was eventually followed back to the **suspected grow house**. It left a  
5 short time later and only two occupants were inside.

6           b. While mobile surveillance was being conducted on the Ford truck, per  
7 the request of SA Wilson, SRDTF Detectives Spellman and Det. Heider went to the  
8 **suspected grow house** to attempt to smell growing marijuana. They walked up the front  
9 driveway and walked to the front door of the house. They knocked at the front door and  
10 received no answer. Det. Spellman said the house is sparsely furnished and did not appear  
11 lived in. They could not smell any marijuana from this location. They returned to the  
12 driveway area and walked on the gravel driveway towards the large barn located  
13 approximately 20 yards behind the house. They walked to the man-door on the south side  
14 and knocked. Here they did not receive any answer either. They walked clockwise around  
15 the barn passing by a barn door on the west and a barn door on the north. While passing  
16 the barn door on the north side of the barn, both Det. Spellman and Det. Heider could  
17 detect the odor of growing marijuana. They continued around the barn until they were  
18 back on the east side and then walked back down the driveway and left the location. Both  
19 Det. Spellman and Det. Heider, through their training and experience are aware of the odor  
20 of growing marijuana.

21           280. Based on the foregoing, I respectfully submit there is probable cause to  
22 believe that this location is being used to grow and/or store marijuana, at least some of  
23 which has been and will be supplied to LAMAR and the STUART DTO. Accordingly, I  
24 also submit there is probable cause to search this location.

25  
26  
27           <sup>5</sup> As noted herein, WORSTER has been at the Stash Warehouse with BENNETT  
28 prior to the marijuana deliveries to LAMAR.

**L. 7914 86 DR NE, MARYSVILLE, WA (Joshua BENNETT's RESIDENCE).**

281. As set forth above, there is probable cause to believe that BENNETT is involved in supplying the STUART DTO with marijuana. According to Washington State DOL records, BENNETT resides at 7914 86th Dr NE, Marysville, WA 98270.

282. On February 16, 2011, GS Hudon saw BENNETT accompanied by a female and two children, exit the 7914 86th Dr NE residence. BENNETT was seen kissing the female and then the female and children left the residence in a vehicle. BENNETT remained at the residence and appeared to be working on a vehicle in the garage.

283. On March 10, 2011, GC Hudon saw BENNETT's Toyota Tundra parked outside on the 7914 86th Dr NE residence.

284. On April 13, 2011, at approximately 11:30 a.m., surveillance officers observed someone matching the physical description of Joshua BENNETT playing with a remote control vehicle in his driveway of his residence of 7914 86th Drive NE, Marysville, Washington.

285. I therefore respectfully submit there is probable cause to believe that BENNETT lives at this residence, and that evidence of the offenses identified above may be found at that location.

**M. 11730 51st AVE NE, UNIT B, MARYSVILLE, WA (Brent WORSTER) and unattached garage**

286. There is also probable cause to believe that WORSTER is working with BENNETT and BURDICK, above, in supplying the DTO with marijuana. There is also probable cause to believe that this location, 11730 51st Ave. NE, Unit B, Marysville, Washington and the affiliated garage is both the residence of WORSTER as well as a possible stash location. The utilities for this residence are in the names of Lynda Robinson/Brent WORSTER.

287. As set forth above, agents surveilled two exchanges between BENNETT and LAMAR on February 23, 2011. Based on the surveillance observations and intercepted calls, we believe BENNETT delivered marijuana to LAMAR. During the second

1 exchange, WORSTER accompanied BENNETT.

2 288. Agents were able to follow BENNETT and WORSTER back to **Worster's**  
3 **Residence**, 11730 51st Ave NE, Unit B, Marysville, WA. BENNETT backed his truck  
4 into the front of the garage for this unit. Both BENNETT and WORSTER entered this  
5 residence.

6 289. In addition, as set forth above, agents also saw BENNETT and WORSTER  
7 in and out of this location during the exchange of vehicles (likely containing marijuana)  
8 with LAMAR on April 19, 2011.

9 290. Accordingly, based on my training and experience, there is probable cause to  
10 believe that this residence and outbuilding will contain evidence of the drug trafficking  
11 and related crimes engaged in by the DTO.

## 12 CONCLUSION

13 291. Based on my training and experience with controlled substance  
14 investigations, and the facts set forth in this Affidavit, I believe that there is probable cause  
15 for the issuance of search warrants for the residences, vehicles and businesses described  
16 more particularly above, to search for marijuana, cocaine, drug paraphernalia, documents,  
17 records, pay-owe sheets, electronic files etc., relating to the illegal distribution of  
18 narcotics, false identification documents, currency, as well as firearms. These items are  
19 the fruits, evidence, and instrumentalities of crimes against the United States, specifically,  
20 distribution and possession with intent to distribute controlled substances in violation of  
21 21, U.S.C. § 841(a)(1); use of a communications facility in furtherance of a felony drug  
22 offense in violation of 21, U.S.C., § 843(b); conspiracy to distribute and possess with  
23 intent to distribute controlled substances, in violation of 21, U.S.C. § 846; interstate and  
24 foreign travel to promote, manage, establish, carry on, or facilitate unlawful activity, in  
25 violation of 18 U.S.C. § 1952; laundering of monetary instruments in violation of 18  
26 U.S.C. 21 956; Bulk Cash Smuggling into or out of the United States in violation of 31  
27 U.S.C. § 5332; and Importation of Controlled Substances in violation of 21 U.S.C. § 952.

28 292. Based on the foregoing, I respectfully submit that probable cause exists to

1 search the premises more particularly in Exhibit A, for evidence, fruits, and  
2 instrumentalities for drug offenses, as described in Exhibit B.

3 293. This is a multi-state investigation, with search warrants being executed  
4 across the United States. It is possible that not all of the search warrants will be executed  
5 simultaneously. Premature disclosure of the contents of this affidavit may put the larger  
6 investigation at risk. Accordingly, I respectfully ask that this application remain sealed  
7 until further order of the Court.

8  
9  
10   
11 BRYAN P. WINGER  
Special Agent  
Homeland Security Investigations

12 SUBSCRIBED AND SWORN to before me this 26<sup>th</sup> day of April, 2011, by  
13 Special Agent Bryan P. Winger

14  
15   
16 The Honorable James P. Donohue  
17 UNITED STATES MAGISTRATE JUDGE  
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